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1800

vol 1.

His Excellency the Governor, was pleased to address the Commandants of Legions in the words following, Viz.

Gentlemen,

Address to Commandants

I had fondly flattered myself, that so obvious Necessity of a well Organized and effective Militia in the Mississippi Territory, and the energetic Measures adopted to obtain the same would at an early Period, have produced the due order, and perfect arrangement in the Legions of both Counties; but 'tis with extreme pain I learn that at this late day— fifteen Months from the Publication of the General Regulations, and Appointment of Officers, and almost a full Year, since the passing of the Militia Law— No inconsiderable proportion of the Force required to be enrolled in the Militia, Continue Obstinately to persist in absenting themselves from parades and place of exercise, in Contemptuous Violation of my reiterated Injunctions, as well as the Supreme Authority of the United States, and that there is no immediate Prospect of an Effective Military force from the Inhabitants of this Country— that the Governour Exercising the Power of appointing the Officers is made the Ground of insuperable Objection to Service with a party, who have the Management to Counteract all—

1800 Janʸ. 1 Address

all the Elections of the Commandants and disposed Officers, and that it has been assumed by them of late to hold Public meetings for the avowed purpose of electing to Office and Command within the Territory.

A Proceeding so unconstitutional Gentlemen I am persuaded can not have received your Countenance — From your Zeal and Duty I expect that information which will direct the proper Measures upon such Occasions — and

Once more Gentlemen most Solemnly I call upon you for your best endeavours to the perfect fulfilment of the Law; — In every Point of View this is an Object of high importance to most of us — In the event perhaps may be implicated our own Reputation and every important concerns of the Inhabitants of the Mississippi Territory. for we are not to Suppose our Nation will View with favour or regard, those who may Rebel against its Powers, or Violate its Ordinances.

Determined Systematic Opposition to Sovereign Will as expressed in the Ordinances for the Government of the Mississippi Territory and the Laws which have been adopted by the Constituted Authorities, is a Crime of so alarming a Tendency that I pray God this People may never Commit it, and if there be

1800

amongst us inconsiderate enough even to have Con-
templated with Complacency such a Measure
I most carnestly Recommend the fatal Consequences
thereof to their Serious Consideration — To this
Moment I have Continued to declare unto the Go-
vernment my Belief, that their pleasure (as it
ought) would eventually be our guides — From your
Address. Report Gentlemen, I am to make my further Com-
munications — Facts, such as they may be, it will
be my Duty to State, and I shall Conscientiously
perform it.

Assemble then your Respective Commands
either in Legions, Companies, or detachments
as shall be most Convenient — Let them be inform-
ed it is to be a meeting of more than common
Concern, and endeavour to Obtain the Attendance
of every Man enrolled in the Militia.

Address them Gentlemen in Language adapted
to the Occasion, and with that Spirit of Conciliation
and Sense of Duty, which I persuade myself
governs almost every Gentleman in Commission
Assure them of that disposition to accommodation
which I truly feel, and have uniformly expressed —
that wherein the Necessary Qualifications for Office
Unite in a man most agreeable to the People, Such
Should be my Election, but that Responsibility
being with me, and the Constitution Requiring
I Should appoint all Officers, I will not directly
or indirectly Violate the Trust — Expressions
Joint

1000

Jany 1—

Joint determination of Duty in full-
lion of the Laws, and ascertain with pre-
cision, the nature and Magnitude of Oppo-
sition, with the names of those therein for
any immediate Government — Make me
also a Complete Return of the Militia
with the State of the Arms &c as soon as
possible. I am,

Gentlemen,

with much Esteem,

your Obedient humble Servant

(Signed) Winthrop Sargent

The Commandants of
Adams & Pickering Counties.

The Commandants of the Militia of Adams
and Pickering Counties, are earnestly
Requested to Cause the foregoing Address
To be Communicated to the Field Officers
Captains and Subalterns of their respective
Legions without delay. From their
Most Obedient
humble Servants.

(Signed) Winthrop Sargent

1808

Jan.y 2.

Natchez Janv. 2. 1808

Sir

A transcript from the Records of the Court of General Quarter Sessions of the peace for the County of Pickering was received by the Governor in September last, soliciting him to name a Place, where a Courthouse and Jail Shall be build for the Said County, or that he would Commission Some Persons for the purpose— Stating at the Same time, the Expence necessary to adapt One of the Buildings at the Villa Grayoso for a Prison— In Consequence of which, he Addressed the honourable Col.o Steele the Secretary of the Territory, and until the close of the last year, Continued to hope that, that Gentlemans, health and Public occupations might have permitted him to have made the Necessary Observations for his Conduct in this Business— But deprived for the present of that Source of information, by the Secretary Absence, and to prevent more delay— The Governor will Commit the above investigations to the Justices of the Court aforesaid, associated with the Commissioners under the Authority of the "Law directing the manner in which money Shall be raised and Levied to defray the Charges which may accrue in the Several Counties" Who are Requested to View the Country and Report to him, a Situation most proper for the Public Buildings, Stating

Specially

1000
Jany: 2

Specially the Reasons upon which they
up their Judgments.

The Governors is however bound in duty,
and by his inclinations to promote the in-
terests of the People of that County, to ob-
serve that if the Buildings and Situation
of the Villa Gayoso might be found of Acco
modation to the County for the Courts of
Justice &c- it is very probable they may
be obtained from the United States,
at Considerably less expense, than new ones
possibly can be erected.

I am Sir, with Respect
your very humble Servant
(Signed) Winthrop Sargent

The Presiding Justice of the Court of Gen.l Sessio
of the Peace,
Pickering County.

Mississippi Territory
Natchez January 10th 1800

Sir

Upon the enclosed ~~the accompanying~~ Petition
which with the Accompanying account, and
Certificate, I owe not otherwise how to dispose of, than
Submitting to your Justice, I take leave
Respectfully

10000 Respectfully to Represent, that the charges made
Jan. 10 by the Parties; could not in equity be against the
Territory — The Prisoners having been committed
and the offence Consequently incurred for and
in behalf of the United States.

If it should seem to you proper, that
the Account should be allowed, and it may
not be in proper Train at the Offices under
your immediate Control, I will myself
be much Obliged, by your giving it the necessary
facility, and shall Embrace the first Opportunity of Demonstrating gratitude by any
Services in my Power.

With great Respect I have the honour to
be
Sir,
your Obedient humble Servant.

(Signed) Winthrop Sargent

The Hon.ble
Secretary of the Treasury

Proclamation,

By Winthrop Sargent
Governor of the Mississippi Territory.

It having been Represented unto me that

1000.

Feb. 1.

L.S

the great Inclemency of the Season, may render it very inconvenient for the inferior Courts of Adams County to be holden at the time which has been Prescribed, I have thought proper to issue this my Proclamation, to Postpone the Commencement of the Same for the February Term to Monday the 10th instant, when they are to be held at the Place and in the Order as has been heretofore directed.

Postponing A.C.C.

Given under my hand and the Public Seal, February the first Anno Domini One Thousand eight Hundred, and of the Independence of the United States of America The twenty fourth

(Signed) William Sargent

By his Excellencys Command

Peter Walker for

John Steele Secretary

William Williams

Keeper of the Seal —

1800-

Feb. 10

Mississippi Territory

No. 30 Private — February the 10th 1800

Yesterday my Dear Sir, by Mr. Hunt I received your Private Letter of October the 20th of last year but not the Public one you had intended — Your three emphatic words upon mine of the preceding June afford me singular Satisfaction, and I can Contrive to assure you, of a pleasing Consciousness, that a Public investigation of my official Conduct, would prove very honourable to my intentions at least. — I have so regularly acted of this People from that date, that to the present it will amply suffice, for the information of yourself and Government.

The Provision which you advertise me the Secretary of War Contemplates for the Choctaw Indians seems small indeed. Will it not be eligible for me to Speak to them in plain and honest Language — "We are not under Obligations to your nation — We want not your Services at present, if we should hereafter, and they be officered, we will pay you for them — Expect not presents — We will however give you advice to live in peace, and to hunt and Cultivate your Lands — if you come into our Country and Commit Treasasses, or Capital Crimes, we will whip, imprison, or hang you as we would the Whites, and we will also punish Exemplarily all aggressions upon you — Strict Justice

1000 Strict Justice must be the Sum of your
Feb. 10 tions, Sam Wood and Mcy when you
Visit, not Leave upon us — If you wage
with the People of our Territories, we
Send an Armed force to your very Whig
we will destroy your Fields, and kill
and make Captives your Wives and Childr
Such Talk my Dear Sir, and there would
at least be a Truce to the Vain Complaint
of the Indians, and our People of the Mis
ippi Territory, and perhaps this line of C
duct would be most Politic, Certainly on
Economical) but that the former really seem at
present to be very much Courted by the Spanis
Government — And in War with any Europ
Power Whatever, might in Consequence
take a decided part against us — Whatever
shall Sir be Signified to me as the Pleasu
of Government, I will as in Duty bound fa
fully Execute.

I take leave to send you the Miss
ippi Gazette, and Shall do Continue to d
Requesting after Perusal, that the same may
be handed to Col.o Hodgdon.

With the most respectful esteem
I am dear Sir,
your Obedient humble Serv.t

(Signed) William Sargent

The Honorable
Secretary of State of the United States

Mississippi Territory

Proclamation,

By Winthrop Sargent

Governor,

To all persons whom it may concern. Greeting

L. S.

Be it Known, that upon the Representation of the Attorney, for the United States and Territory, that the alteration which has been directed, in the Terms of the Inferior Courts of the County of Adams will (for the equal Administration of Justice in the County of Pickering) render it ~~ing~~ essential, to postpone the February Sessions ~~Courts~~ of the Courts there also — And that the first Week in March will probably be of General Accommodation.

I Have Thought proper, by these presents made Patent, to direct that the Justices of the Court of General Quarter Sessions of the peace of said County, do hold the Court of General Quarter Sessions of the Peace, at the Village of Washington, upon Monday the third day of March next, and that the Courts of Common Pleas and Probate be holden at the same places

and

1800 and in the 24th year of the Independence of
Feb. 12. the United States of America as has been
before directed.

Given under my hand and the Pub-
lic Seal, the twelfth day of Febru-
ary in the Year of our Lord One Thousand
Hundred, and of the Independence of
the United States the twenty fourth

Signed Winthrop Sargent

By his Excellency's Command

Peter Walker for.

John Steele Secretary

William Williams Keeper of the Seal —

Upon application of the Commandant of Natchez
Province of Louisiana that a Negro and two
horses Stolen and in the Chickasaw Nation
may be restored to the rightful Owner, a
Spanish Subject.

Natchez 24th of Feby. 1800 —

The bearer Robert Instram is permitted to
Pass into the Chickasaw Nation of Indians
Conditioned that he Conforms strictly to the
Laws of the United States, and Territory — &
the Business which he has there to Negociate —
the Agent of the United States is requested to

1800 by the undersigned, to afford him Such Aid, as
may in Policy, be due to the Subject of a Power
Feb. 24 with whom we are in Friendship, and from
whom 'tis possible we may need Civility
under Equal Circumstances.

(Signed) William Sargent

The Governor has received by the hands of Ann
Walton, the Notice of her being fined by the
Court of General Quarter Sessions of the peace of
Adams County, with the Request, that he would
lessen or remit the Amount thereof; and for
Reasons which he is very willing to admit are
good and Sufficient, but notwithstanding
the full force of this, and his very unfeigned Res-
pect for the honourable Court; Yet as the Laws
of the Territory, have absolutely Appropriated
all fines, either expressly or by implication
(One Solitary instance Only excepted) it is
not within the limits of his Authority to
Controul them.

Mississippi Territory February 24th. 1800.

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1800

Feb. 27.

The Grove Mississippi Terr.

February 27th. 1800

I have my Dear Sir to request, if Compatible with your instructions, or Sense of Propriety a Renewal of those arrangements, which authorise my receiving from the Provision Contracts, through the Medium of the Offi-

Indian affairs. Rations

cer Commanding at Natchez Rations for the Indian Department.— Pending almost your whole Absence from the Terri-tory, this Accommodation has been withheld, and I have been Constrained to purchase at the exhaustive Price of the Country embarrassing to my Self, and injurious I believe, to the interests of the United States

With Respectful esteem I am,

Dear Sir

your Obedient humble Servant

Signed Winthrop Sargent

General James Wilkinson

Natchez Mississippi Territory

February 20th. 1800—

The Mails—

The Agent or Agents of the United States who are in the Chickasaw Nation of Indians are Specially Requested to afford unto the Post Riders of Mr. Abijah Hunt (who has Co-

1800 Contracted to carry the Mail from [illegible]

March 1- Knoxville) all the Indian Protection in our Power Consistent with their general Duty. Instructions.

(Signed) Winthrop Sargent

Governour.

No. 31.

Natchez Mississippi Territory

March 1st 1800.

Sir

I was honoured with your Public letter of November 14th upon the 23. ult. by General Wilkinson, who had arrived upon the preceding day —

Indian Affairs — I shall Sir upon your Suggestion, Seek an Opportunity (with as little expense as possible) to prevail upon the Chickasaw Indians, to Suffer Such establishments within their Country,

Mail — as may facilitate and Secure the Mails, but I am inclined to believe, they will not very readily permit the Settlement of white people amongst them —

The "intire Satisfaction" of the President at the Contents of my Letters of July the 17th August the 7th and the Unofficial one of June the 25th which you have so obligingly

1900 Communicated to me is highly gratifying—
the most unremitted endeavours at Rectitude
March 1. in Public life, might insure the Just Return
I would fondly possess myself to the chose the
of the great Reward of perfect Approbation.

In my Letter of December 29th. N°. 29— I continue
ed the information Relative to the Visits of the
Chactaws at Pensacola, the Measures I had ta-
ken thereupon, and the assurances of the Go-
vernour. I sent forwards a duplicate of this Letter
believing it of Moment, and must Conclude
therefore, that one of them may have reached
Col. M°Harry. Upon the 20th of February Col°. M°Kee wrote
me upon the Subject as follows—

" On the 15th Ult Tecklhamo a Confidential
Chief, whom I had engaged to attend the Con-
ference at Orleans, returned to the Lower Chac-
taws, of which District he is a Principal Chief,
and informed me, that no Last Advices was
given to the Chactaws, by the Officers of his Ca-
tholic Majesty.

Save the Interpreter was the only Public
Character that saw the Chiefs, and he informed
them that Governour Gayoso's Successor—
had not arrived; and Consequently there was
no person authorized to talk with the People
but himself— That he had some presents for
them, and to inform them, that if they would
Return in the Spring, when the Leaves were
about half grown, they would receive much

large

1800

presents, and must a man authorized to Talk
with them: He told them that the Spaniards and
March 1 Americans, are now at peace, but are like two
Braves in the same Town in their Nation, who
are struggling who can get the most Skins —
when they meet the Speak to each other, and be
have with seeming friendship, though there is still
a Sourness in their hearts, and in his most, who
has the Smallest Share of the Trade, — In Explana-
tion he Told them the greatest Sourness was at
present in the hearts of the Shannacks" — "Large pre-
sents I am informed, have not been made by
the Spanish Government, since the Reduction
of Pensacola — What Object it can have in
View, I can not Conjecture — through the Indians
I have no Clue to the Mystery — I am Confident
however that Such presents were not made
and greater promises for Ordinary Objects —
Bowles's landing in East Florida can not be
the original Motive of the Invitation which
must have issued from Orleans in September,
as it reached the nation as well as my Recol-
lection Serves the 20th. of October.

I have engaged Tolohamo, in whose truth and
Correctness I have the fullest Confidence, to attend
the approaching Congress in the Spring, who
with another very principal Chief whom I will
engage to Accompany him will be able in Count
of Each Counsel being given the Indians, to prevent
them from embracing it —

This

1000 This is the whole of the Colonels communication to me, and I can not but express my doubts, while I transmit the same, of the influence of his Confidential Chiefs, to Counteract the Machinations of the Spaniards, Aided by the Large presents, their custom it Seems to make to the Choctaws — Always poor, but at this time more than ever needy — and forgive me Sir, for asking if it is best to deprive this distressed people (as wanting all the necessaries of life) of the Charity of the Spaniards, whilst we continue totally to neglect them — My line of Conduct however will be to keep the Marquis indirectly Advertised of the Public Sign; and the Train of evils which may be the Consequence of his Communication with our Indians — till I am better Advised or instructed from Government — Some sufficient annual Presents, or Trading houses under our order, both probably would be of National Advantage, but I forbear to be urgent — I anxiously desire however to be informed, how I am to talk to those people, who make no end or Measure to their Solicitations for the Bounty of the United States.—

I wish also to be instructed for my Conduct towards those people, Squatting on establishing themselves upon the Public Lands my Proclamation of October 4th 1790 - notwithstanding —

1800 their numbers not inconsiderable; and I am
March 1. sorry to add, I believe day increasing — I
have forborne any Measures in this Business
hoping Sir Counsel from your better Judgment
either by Public or Private Communications
the Prohibition having been Submitted long
since, by a Duplicate of the Secretary's
dispatches — a degree of Odium would
no doubt attach to me, from Removing the
intruders, but the will of Government
(as it ought) Shall be my guide —
With most Respectful Consideration
I have the honour to be Sir,
your Obedient humble Servant
Signed Winthrop Sargent
The Honourable
Secretary of State —

Mississippi Territory
March 1st 1800 —

Sir

In order to give facility and better Secure
the Mail; Contracted to be carried from this
To Natchez it is a Matter very much to be
wished, that there were establishments at proper
distances upon the Way, — Say, at the termination
of every forty or fifty miles, or Such days Journies
as the Post Riders usually make; and commodious

10100

upon the banks of the deepest unfordable Water —

March 1- whether establishments are made by white men

or the most Civilized of the Chickasaw Indians

Indian perhaps is immaterial — the Latter probably

Affairs — will not make them, but if their consent

could readily be had, I have no doubt white

men might be induced to accomplish this

Object — for in addition to those Advantages

which they would derive from Accommodating

the Travellers (by Report not of inconsiderable

number) they might on Certain Situations, be

enough adapted for the two purposes, enjoy

Trade - Considerable Benefit - from a Trade useful

also to the Indians — It would on my

part be made an indispensible Condition

for permitting Residence in the Nation

that Ample Provision of Forage be Should

always be Supplied to the Post Rider.

The Object of making this Address to You

Sir, is for your endeavour to facilitate the

Business — To sound the Indians thereupon

and if possible to procure from them a pro

position in Point — & to an honour in Su

injunction of the Measure, could be pledged f

the Aid perhaps we can not well do with

To Solicit ourselves, might awake those Je

ch

which I am truly sorry to say, have been of late been enough founded by our Countrymen, but in the present Case, I sincerely honestly of many motives. I write you upon this occasion from Faith, that neither Major Lewis, or any Public Agent, is at present with the Chickasaws and from high Confidence in your attachment to our Government, as well as general Intelligence and fitness to Manage this Business established in my mind, by your Friends Messrs. Harding and Duncan —

Should the Major be in the Nation you would See the Propriety of Shewing him this Letter and asking in my name, his Countenance and Cooperation, and be pleased to Offer unto him my Compliments.

With wishes for your health and happiness, I am &c.

Your humble Servant

(Signed) Winthrop Sargent

Mr. Wood Gribble

Residing in the Chickasaw Nation

of Indians. —

1000

March. 10.

Mississippi Territory

Sir The Grove near Natchez March. 10.

In the Communications you Obligingly made me upon the first instant, I recd with much Satisfaction for myself and the poor Indians that as Superintendent of their Affairs, I should be indulged in giving them provisions from the Public Magazines, and assured of your disposition to Modify this Business to our Convenience— I had flattered myself to be rid of all that embarrassment, which I have so much experienced, under the Administration of your Subordinate Officers, during your Absence from the Territory, by their denying this Accommodation, and the Consequent Constraint I make my Purchases in the Town of Natchez at the uncertainty of Reimbursement, and without Funds for Such purpose— But informed this Morning of the withdrawing the Troops from the Town, and with them the Means of Carrying into effect, your and the intentions of Government, I delay not to ask from you, some immediate Suitable arrangement, that I may have it in my Power Occasionally to Supply those People with Beef and Bread, without more distressing my own Fortunes, or the Risque of Accumulating expence to the United States.

Provisions for Indians

1000 I forbear to urge the ueu of Continuing a Garrison at Natchez — that the Indians do and will persist to visit there in Numbers — that they are often in a State of intoxication — that they will be fed from the Planters and Inhabitants, already loudly and justly Complaining from this Cause (should Government deny Provision) all this and the evils which might possibly ensue under the present apparent disposition, must be obvious to your mind without Comment; And I persuade myself I have only to ask for such Arrangement as your Judgment shall believe sufficiently meet

With very respectful Consideration
I have the honour &c —

Signed. Winthrop Sargent.

General James Wilkinson.

The Grove Evening of
March. 17th. 1800.

Sir,

I return thanks for your Promptitude in the arrangement to Supply the Indians with Provisions at Natchez — Which I trust may be of national Benefit, and as it appears the extent of your means, I forbear to further urge — The Embarrassments noticed in —

1800 in my Letter of the 10th Instant. an
mistake not as therein expressed
Suspension of the Accommodation
had long since made, and now Vir
Renewed — They originated under the Com
of Major Hoxey; in instructions to Lieut
Marschalk of Fort Sargent, Prohibiting
his Opinion to Supplying the Indians o
Provisions upon Request of the Superintu
dent — Were Continued by Lieutenant Se
Major Cush- after Major Cushing took the Command
ing — which Constrained one sometimes to pur
chase upon Terms, disadvantageous to
United States — but oftener to deny those
people altogether, having within myself no
possible Means of Supply.

I make this Statement Sir, at your Special
desire, and Submit it to your better Judg-
ment, whether it may not be as well, to pa
over the Subject without formal enquiry
Your order of the first instant, and Provision
this day, being enough perhaps to guard a
gainst the Return of Such Evils —

I feel Anxious to Contribute all in my
er to the Public good, and Shall not
Hesitate on any occasion to promote the Same
I have made with some Communica

1800 unofficially To this End, which if you believe as
March 23 Sentiall shall be offered in due form.
I am &c.
Signed Winthrop Sargent
General James Wilkinson.

Mississippi Territory
The Grove March 23. 1800

Sir

By the Muster Rolls of Captains Ellis Collins and Skinner, and the Table of Major Ellis Accompanying yours of the 21st instant, it appears there has not as yet been the due attention to my order of the first of January of the present year — those Rolls give me not information of the State of the Arms on the Companies, and except on Captain Collins's Command the excess of absence remains unaccounted for — I am not yet absolutely Constrained to make to the General Government that declaration which may eventually operate disadvantageously to this people that they will not yield obedience to the Militia Law, though from appearances to this Moment (with extreme pain I say it) they certainly have not.

If Sir your health may without to much hazard permit, I shall be Especially Desirous

that

1040 that you Continue in the Command
of Militia of Adams County at least until
you are Sufficiently informed to make an
official Statement whereon to form my fu
Report to Government — the Astonishing Re
luctance to Service which you mention
and the Lack of emulation amongst our
Officers, I can not Admit as Sufficient
Cause for Resignation, or indeed Aught
but very ill health, which I pray God you
may never have Occasion to offer, I am most a
Sincerely you will Acknowledge the Propriety
the Absolute Necessity of a Militia within
the Province, and my Duty Consequent
thereupon to have in Command the person
best adapted to effect this important purpo
— Convinced in my own Opinion of your
intelligence, Integrity, and the Requisite
for Military Service, by Some of the mo
Respectable Characters of our Govern
ment, I Commissioned you as the Lieu
nant Colonel Commandant of the Mi
tia of Adams County: and it is Just
to observe, that under all the discourage
ments to operation, which I can bear Witn
have been many and great, you have ha
fairly manifested Such laudible Zeal, an
attachment to Service, as well as the Gov
ment of the United States and Provi

1800 that I believe very essential to the Public
Good you should Continue in Military
March 27 as well as Civil Commission

With very respectful esteem
I am Sir
your Obedient humble Servant

Signed
Winthrop Sargent
Lieutenant Col:
Daniel Clarke

Dear Sir

The Grove March 27th 1800

I acknowledge with pain but to acknowledge the Receipt of your second Letter announcing the actual necessity of your resigning the Command of the Militia of Adams County, and to express most unfeigned Regret that any Cause, but more especially "ill Health daily declining State of health should deprive the Territory of an Officer whose abilities and Zeal, I have Continued to Honour, and from whose Services, I had promised myself the fullest exertion, to the Completete Organization and efficiency of the Militia.

I accept Sir your resignation and am with very much esteem and Respect &c &c

Signed Winthrop Sargent

Daniel Clarke Esquire

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1800.
apl. 3.

The Grove Evening
of April 3. 1800

Sir

From your Note of this date, I write what I have verbally expressed to you, and I believe also to Mr. Minor, that the Major at or about the time of his leaving this Country, offered to sell Cesar to me for the Sum of three Hundred Dollars, or to Continue him on Public Service, under my direction, and during my pleasure, with such pay as I might deem adequate Compensation — He Sir made no Stipulation for 30. Dollars per month, or indeed any Sum whatever and my Estimate to the Disadvantage of Cesars Services, is but the Moiety of your Expectation.

I am desirous of Promoting Major Minors interest, and fully Satisfied, even from that when we meet, there will be no difference of sentiment upon this Business.

At present Public Services Require Cesars Services to Render it essential that Cesar Should Remain Subject to my Order — On this Condition Sir you may draw upon me in behalf of the Major, for the Sum of three Hundred Dollars

I am with esteem &c. your,
Obt. hmle. Sert.
Winthrop Sargent

Mr. John Minor —

1800

apl. 0

The Grove Patchey
April 0th 1800.

Sir

The Object of this Letter is to Request of your Honour, Enquiry into the Proceedings of the Justices of the Courts of Common Pleas, and General Quarter Sessions of the Peace of Pickering County, in Consequence of my Proclamation of the 12th. of February directing and Requiring that their Sessions which in Common Order would have been held on the third Week of that Month, should be postponed to the first Week in the ensuing March — So as to Correctly ascertain if that Proclamation was made known to the Presiding or any other of the said Justices, Seasonably to have Obtained the due Attention — as also into the nature and probable Tendency of Certain Language, said to have been uttered to the Court of Quarter Sessions of the peace, by Mr. Robert Knox a Member of the Bar, and Represented unto me, as "Inflammatory and Seditious."

I should believe Sir, that the Testimony of the Sheriff and Clerk would be in Point, and enough, and it would be agreeable to Me that the same Should be made upon Oath and in the presence of the Presididing Justice who has written to me on a part of the Premises (which I enclose) but which I am a little

262

1000

ap. 9 — at a loss to determine whether meant as

apology or insult —

I enclose you also the Statement made me, by the Attorney General — requesting this and Mr. Dixons Letter may be returned

And have the Honour to be

with Respectful esteem —

your Honours

Obedient humble Servant

(signed) Wm Thos Sargent

Honourable Judges Bruin.

Mississippi Territory

The Grove near Natchez

April 9th 1800 —

Sir

Public Service will probably require, that I should Visit the Tombechbee Settlements almost immediately — I am not yet enough informed to determine the Exact, and most Expeditious Route, but at present it seems eligible that I should proceed by Land — and through the Indian Country — May I sir Calculate upon an escort... an escort from the Troops under your Command and the Means of Transporting Baggage absolutely necessary for such a Journey from the Quarter Masters Department, together with the use of a Tent.

from the Troops

With

With respectful Consideration and
Regard I have the honour to be Sir,

your Obedient Humble Servant

(Signed) Winthrop Sargent

His Excellency
General James Wilkinson

The Grove near Natchez.
Mississippi Territory.
April 9th 1800.

Sir

It is encumbent upon me to Call your
Particular and immediate Attention to Ser-
vice for the United States, in my View at
this Juncture, highly important to the National
Dignity and Interests. and Specially
essential to the Safety and Welfare of the
Good People of this Territory — It is legally to
Effect the Restoration to my Order for the
Use of Government, of an Indian Interpreter
who has been forcibly withdrawn from his
Duty, by a Mr. John Minor and a Mr. Nolan
now residing within this Territory, and in
direct Violation of express Stipulation
Verbally made with his Master, by myself on
behalf of the United States. your Application
will no doubt be to one of the Territorial Judges
and you may urge so upon the indispensible

264.

10102

necessity of this Measure, that causes of Mutual Complaint and Crimination are almost every day arising between the White and Red People, absolutely Requiring the Services of an Interpreter for Amicable Adjustment — and that I am not Authorized to employ any other than the one I demand. Indeed that I know of no other adequate to the Purpose who could be engaged, and that from his detention therefore, will probably accrue very Serious and Alarming Consequences — His name is Cesar, He was placed under my direction, in the Service of the United States, in the October of 1790 — by Mrs. Minor, her Husband (his Master) being then Absent, and upon his Return very Soon after, I Received from him positive Assurance that he Should Continue in Public Service during my Pleasure, for a Compensation which he fully Submitted to me to name, and which I fixed at at fifteen Dollars per Month the highest Wages I had known to have been given to a Prime Slave, and made my Report to the Proper Department Accordingly — To all which, I am ready to make Solemn Oath.

With much esteem I am, Sir,

your Obedient

humble Servant

Signed Winthrop Sargent

Mr. Harding Attorney

for the United States and Mississippi Territory

Postcript to the foregoing

April 11th Evening—

I open this Letter Sir, to add through you for the information of the Judges, that from an affray between Some Indians and White people, death will probably ensue to one of the former, who are now numerous on the Coun and threaten Vengeance—My interference can not be made for want of an Interpreter—

April 10th 1800—

The Governour Acknowledges with thanks General Wilkinsons proffer to postpone the Fu neral Honours ordered by the President of the United States to be paid for the very eminent Services of its Revered Chieftain deceased—The day proposed is as Conve nient to the Governour, as any other which might be named, though the place and embarrassments to its approach, with the impracticability of there Accommodating the Militia, and other Citizens whose Love and Gratitude might ensure Attendance would induce Solicitation that the ground of Ceremonial on this Occasion of General Sorrow, might be more equally Convenient to every feeling heart within this Territory, but that he believes the intention of Govern-

ment

1800 ment as it relates to this people, has been
apl. 12 Substantially fulfilled; for upon the late
Anniversary of that propitious day, which
gave birth to the 60 illustrious deceased, a
procession of the Militia, and Unarmed Citi
zens was made to the Church at Natchez
Minute Guns were fired from the Fort—
They were Joined by the Regular Troops, and
Together Mingled their Tears.

General James Wilkinson—

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6. Oclock. Morning
of the 12th of April 1800

Sir.

Your information of the Unfortunate affray of Yesterday Morning is to me particularly distressing at this Moment, for I am without an Interpreter, and can not therefore take any direct Means at present, to oppose the Resentments of the Indians— Your Proceeding with respect to Jones, I hope may have the Effect, so fully to illustrate this Matter, that hereafter I may formally State to the Indians, some of the meaning Circumstances which the bearer

Indian affray—

Represents, and Mollify their Resentments for the death which may ensue — Such Dispositions in due form to be taken, and furnished me, and perhaps it may be well to call to your Assistance Some other Magistrate, as the Event may involve National Consequences."

I pray of you and every Magistrate, and Good Citizen, that Effectual exertion may be made to bring to Justice those people who Violate the Laws "to prevent Supplying the Indians with Ardent Spirits."

I have the honour &c.

(Signed) Winthrop Sargent

William Vousdan Esquire.

Natchez Thursday
Noon of April 17th 1800

Sir

I learn this Moment with extreme Sorrow and much Apprehension for our Inhabitants, knowing the Savage Disposition to Retaliation that the poor Indian Wounded on the 11th will die — I am without an Interpreter, and therefore can not Talk with those people, but informed that you in Some Measure Communicate — I have to desire you would

1800 would assure them that the man Comm-
apl. 17. this Act is in Prison and in Irons, and m
them Comprehend, that he will receive a
very Solemn and formal Trial — I wish to
know where the Indian is at present, and
the exact State of his Wounds, and to
make arrangements for burying him if he
should die — if you could find it Con-
venient to Ride to this place I should be glad
to Concurse with you — I will give a
Talk to the Chiefs most interested in
this unfortunate Business, if I can by
any means whatever make myself under-
stood —

I am Sir

your most Obedient humble Servant

(Signed) Winthrop Sargent

Mr. King. near Natchez

From the Governour

Notice is hereby communicated to the
Honourable the Territorial Judges, of his inten-
tion to Convene them in their Legislative Ca-
city at the Government House Natchez 9. o'Cl
a M. upon Monday the fifth of May next ensuing

Thursday apl. 17th 1800

Witness Peter Walker

for John Steele Secretary —

1800

Sir

Natchez April 17th 1800

Apl. 19

The absence of Colo. Steele has prevented in some Measure the early attention to those Commissions you allude to but they will not much longer be neglected.

I pretend not to any Controul over the Records of the Court — It seems to me they should be as Convenient as practicable to the Place of Sitting — I believe your Apprehension of the Government of the United States soon, or ever, is not well founded.

With much esteem I am

Sir

your humble Servant

(Signed) Wilkinson

Col. John Girault

Pickering County —

Mississippi Territory

The Grove April 19th 1800

Yesterday Sir I was honored with your letter of the 12th instant upon the Subject of a demand for two Spanish deserters &c. which I shall take the very earliest opportunity of laying before the Secretary of State, to receive the Orders of Government thereupon, without which I dare not take any Measures, that might be Construed into an attempt to affect the National

Right

1800 Right or intention of general or public
apl. 19- Coglum.— In all Constitutional enquiries
I am I assure you most promptly at your
Service, and extremely regret the want of
Power to order the instant Surrender of those
So abandoned Men.

Major Cushing's long letter, which you have
thought proper to enclose me, I have hastily
run over — I know not if any Observations
thereupon from me are expected — The pre-
sent provision, founded upon my embarrass-
ments, and declarations thereof, I trust will
be enough for the future, which was all I
had to request, and I pray that no "Misun-
derstanding or irregularity" of mine, may ever
deprive the Public of the Benefit thereof.—
The Message which it seems was intended me
by the Major through Mr. Brownson, I
have no recollection ever to have received
And I should take Shame to myself
for any Lack of Attention or honour to
Major, or any other Officer Civil or Militar
with whom I must Necessarily Negociate—
and sooner than permit Publics interest
Suffer would at any time Condescend
to Solicit from a Constable or Corpo
Ignorant of Army detail, and the Majo
General Orders, I have it seems Erroniously

1800

addressed Provision Returns to Fort Sargent
instead of Kilbourn Vale, to my own embarrass-
ment and public injury — If hereafter I should
so again chance to err, National Considerations
will I hope induce that I be put right as
immediately as possible.

As you are Sir, so soon to leave the Territory,
I take this Occasion to Solicit, that the Officer
who may be left in Command, receive your
instruction to furnish Arms and Ammunition
Amm. &c. for the Militia upon my Application, which
will be made only on great emergency — They
are almost totally destitute, and it seems pro-
bable, that their Military Services may be
Required — Our Situation at present is more
than a little alarming and it is unnecessary
for me to observe to you upon the present Dis-
position of the Savages, or that they have become
much more assuming and Insolent Since the
evacuation of the Posts above — by one of your
Officers I am very Credibly informed they have
menaced to kill the Cattle of the Inhabitants
at the Walnut Hills, and to burn the Buildings
If Sir it was within your Power, to establish
Fort — two or three Small Posts upon the Frontier of
this Territory, near the Grand stone Ford upon
the Bayou Pierre, and other General Avenues
for the Indians; and you would exercise
Such power, it might ensure quiet, and Confi-
dence for the Inhabitants, and avert a War Ruin

ous

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apl. 21.

ous to all the Agricultural Interests of Mississippi Territory with the Evil of enormous Expense to the Nation.

I have the honour to be with respectful Consideration

Sir, your Obed.t humble servant

(Signed) Winthrop Sargent

General James Wilkinson

The Governour Replies to the Notice of Resignation from Captain Smith and his Officers which he has just now received, that the Same must be made through Sub-Legionary to the County Commandants, in order that those Officers may at all times be informed of the State of their Corps — The ill and declining State of Col.o Clarks health, having deprived the County of his services, Major Osmun is the Senior Officer.

With these Observations the Governour Sends back the Commissions, wishing to Captain Smith and his Officers, much health and prosperity.

The Grove Evening of April 21.st 1800.

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April 21st 1000. Natchez.

Winthrop Sargent Deposeth that Cesar a Black man, and Slave of Major Stephen Minor was taken into the Service of the United States under his order by permission of Mrs. Minor in the October of 1790, the Major being then absent, and that it was understood to the best of his Recollection that the said Interpreter, was to receive or rather his Master for him, equal Wages to any that were then given to Slaves within the Mississippi Territory.

That Soon after upon the return of Major Minor the Deponent proposed to him, Some Stipulation for Cesars Services, when the Major of his own free will and accord proffered to sell him to the Deponent for the Sum of three hundred Dollars or Continue him in the Services of the United States, at Such Wages as he the said Deponent might think adequate Compensation for his Services — Adding to the Deponent that if he Should not incline to purchase him, he requested he would Continue in the Service of the United States him in the Public Service, as long as he Could and Obtain for him as high Wages as he believed him to deserve — In Consequence of Which the Deponent has actually reported him to the Secretary of the War Department as the Slave of the said Major Minor, and engaged as Indian Interpreter for the Sum of fifteen Dollars per month and to be Continued Such during the

This

1800 pleasure of the Secretary — the Wages at
23. apr Time they were fixed by the Deponent, being equ
or more than any he had ever known to have
been given for a Prime Slave within the Mis-
sisippi Territory; for if his information be Cor-
rect from such Sum was always Subtracted
under the Spanish Government a Certain part
for Subsistance

The above Agreement has been long since Report
ed to the Concerned at present within the Territor
and permission given to draw upon the Deponen
on Account of Cessar Services.

(Signed) Winthrop Sargent

His Excellency the Governor was pleased to
Militia Offices make Promotions and Appointments in the Mili
tia of the County of Pickering as follows. Viz

Captain William Thomas, to be Major of Cavalry

Lieutenant James Insley to be Capt[illegible]

Cornet James Spane to be Lieutenant,

and Mr. Jacob Stampley to be Cornet of Cavalry

Thomas White Senior to be Captain

William Smith of Baie Puan Lieutenant

and James Arbuthnot Ensign of Infantry at Baie P

Moses Monnet Ensign in Lieu of William Collins re

1800 To each of whom According to their Several
grades he issued a Commission in the usual
form, and dated the 23. of April 1800.

He was also pleased to appoint and Commissi
Officers in the usual form John Hinder a Justice of
the Peace for the County of Pickering, bearing
date the 23.. of April 1800.

He was also pleased to appoint Jesse Harper
Esquire Coroner for the County of Pickering to
whom he granted a Commission in the usual
form dated the 23. of April 1800.

Mississippi Territory

The Grove April 27th 1800

In Consequence of Mr. Minors Note Received last
Evening the Governour Observes to him, that from
the Circumstance of Cesars (the Interpreter) being
Forced from the Service of the United States, to much
probable Public damage, it is impossible for him to
say, that Government will ever pay for him the
Wages proposed in the said Note or indeed any—
of it is possible they may order some Measures un-
pleasant to the Concerned to be taken upon this
Occasion— All that the Governour can do, is to
give a Certificate of Time of Service, which with
a Relative Statement of Facts, shall be transmitted to
the proper Department in Philadelphia where Major

Minor

1800 Minor himself will probably meet it, and have it in his Power to adjust the Business.

Private

Mississippi Territory

The Grove April 27th 1800

The Governour has Received and Acted almost intirely from Colo. Gaines Recommendations in Present Appointments (Commessions upon which are enclosed) and desires if he be not fully Satisfied of the fitness of any one Character, that he would withhold the Commission—

What is Mr. Bonners Reputation? have there not gone abroad evil Reports of him? if so, it Should Sufficiently appear they have had no foundation in Facts, or he must not be Commissioned.

Col John Gaines.

Pickering County—

His Excellency the Governor delivered to the Honourable Territorials Judges when Convened in their Legislative Capacity an Address in the words following Viz.

To the Honourable Judges of the

Mississippi Territory.

1800 Gentlemen,

May 5-

The opportunity you have had for practical Knowledge of the effect of the Laws which we have adopted and made, will best determine you upon the Necessity of abolition, repeal, or amendment; in which, and in every measure Salutary to the quiet and Welfare of the Territory, and not incompatible with our Official Duty, I trust we shall very Cordially Unite.

Amongst the Laws which we have already adopted and Published, two only (in my View) Can by any Torture of Construction seem to Militate with the Constitution and Laws of the United States. Treason as a Crime tending, probably, to involve more Fatal Consequences upon this Frontier, than in almost any other part of the Union, Should Certainly be guarded against by the most energetic Constitutional Measures; but the very appearance of others (though persuaded they would be Null in your Judicial Decisions) I am anxious Should be expunged from our Statutes. I am impressibly, and Candidly I (painful) make the Acknowledgement, that we have unintentionally, Committed ourselves in Such appearance— I say unintentionally, because I am persuaded it was your unanimity, as it was mine, to have perfectly Accorded with that Standard, which it is our duty to Revere. Whether this Error has

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May 5th

Originated in ourselves, or in transcribing
ponsibility is with us: and the only amend
in our Power, are immediately to Repeal
so much of the Law to provide against
Treason, and Arson, as might be deemed to
extend "Forfeitures" beyond the Lives of persons
Attainted.

I take the Occasion Gentlemen of our present
meeting; to lay before you Several Addresses from
Sundry Inhabitants of the Territory to the
Governour, and to the Governour and Judges
upon the Administration of this Government
by the Executive, and Legislature. as it relates
to the Executive I have taken upon myself Res-
ponsibility; and the Reply of the Legislature
as it was made in the Absence, and of Course,
without the express Concurrence of one of your
Honours, is at this time again Submitted for
Such further Notice as may be deemed meet.
The Question made by these Addressers of our
Right to frame Laws, which they unadviscdly
assert we have done in all Cases, has not
effected any alteration in my Sentiments, and
having never been otherwise instructed, I shall
not hesitate in Concurring to make any Salutary
Laws; though from a Disposition to accommo-
date, I would prefer exact Adoption from any of
the original States whence such Provision
might Sufficiently apply.

1800

Since the last meeting of the Legislature, I have received the Laws of new Hampshire, North Carolina and Kentucky, and in July of 1799 a Volume from Connecticut and Virginia, but of very old date; all which I have the honour now to lay before you. From the Cursory View thereof, which my many avocations have as yet permitted, I cannot pretend to recommend for adoption any particular Statute; though my own Observation, and the Experience of some of those of the best informed people of the Country go to prove Legislative provision in Sundry matters of Moment at this Time very essential.

The Laws to prevent furnishing Ardent Spirits and intoxicating Liquors to Indians and Slaves have not been found Sufficient — Consequences ensue of a very alarming Nature: And unless we may apply an immediate Remedy, it is more than probable this Country will very soon be involved in an Indian War, for the frequent affrays which happen and the Violence thereof are Matters of Notoriety.

The Militia of the Territory seem to require, more Compulsory Measures for efficiency, in relation to Commissioned Officers, as well as Privates than have been yet adopted.

Some Provision has been earnestly Solicited that Lands should be made liable to Satisfy Just debts, where there is no other visible Property.

We are Requested to prohibit by Law, the Slaves

1800. ~~Nothing~~ to prevent Slavery from raising or Vending of Cotton; which is permitted by some few Planters to the probable injury of most of them: for it is urged, and with truth that this kind of Property, will necessarily always be exposed to theft, which if Slaves shall become dealers in Cotton, it will be impossible to guard against. As Connected immediately with this Subject, and promoting improper intercourse between the Negroes and those who may be disposed to engage with them in illicit traffic, I submit to your honours the propriety of further Provision against Slaves holding property in horses, by a sufficient penalty upon the Masters, or owners who shall knowingly permit it.

Thus Gentlemen I have taken leave in the order of importance, which they seem to present to my mind, to State to your honours some matters demanding your attention as Legislators; and hope to receive from you such Communications the result of your Judicial Experience that we may be duly qualified in this important Duty. It is encumbent on me Gentlemen also at this time to State to you that the Justices in the County of Pickering have held the inferior Courts of the last Term contrary to Law; as an Act to legalize proceedings therein, so far as to restore the due order of process in those Courts may be deemed most meet, I submit to your [illegible]

1800 information upon this Subject a Letter from the
Attorney of the United States and Territory upon
May 14 the Necessity of postponing the Session for the
due Administration of Justice — My Consequent
Proclamation — a Certified Copy of the Records
of proceeding of the Justices — a Letter to the ho —
norable Judge Bruin — and Some depositions
made before his Honour.

(Signed) Winthrop Sargent

Natchez May 6th 1800..

Mississippi Territory

Sir May 14th 1800.

In August of 1799 I communicated to you
my Sentiments upon the absolute Necessity
of keeping an Indian Interpreter in Constant
pay (which Events of almost every day a —
bundantly justify) and that in Conformity
to that rigid Economy prescribed me, I had
employed a Slave of Major Minors Suffici —
ently Competent in ability, and to be Continue
ed during your pleasure at fifteen dollars
per Month — at that time and to the present
One other fit Character only, has been in my
Views his Services are uncertain, and if to
be obtained, would probably be estimated
at a very high Rate, but under the Sufferings
of this People from an host of Indians

always

1800 Always preying upon, and sometimes in-
Selling them, and being without an In-
terpreter, I may find it ephedient to demand
them, for which and the Compensation
Government will Admit, I make my Ap-
plication to you Sir for instruction.
The Negro Interpreter has been taken from
his Duty, by a Mr. Nolan a dealer in
horses who means to use him for their
Safe passage through the Indian Country
to Kentucky—; a Mr. John Minor acting as
attorney for his Brother the Major having
Sold him for Such purpose, in Violation
of his Brothers Parol engagement, that he
Should Continue under my direction as In-
dian Interpreter during the pleasure of
Government. An essay was made to detain
him, by application to one of the Territorial
Judges through the Attorney for the Territory
but has been ineffectual. More energetic Mea-
sures might perhaps have been Justifiable upon
the Occasion, but from the present apparent
disposition of this people, were deemed ineph-
dient— To Judicials decision I ~~have~~, and have
yielded respectful Obedience, though I cannot
Sacrifice the Faith, that Law Necessity, and our
particular Constitution might have amply War

1000 ranted this Interpreters having been instantly
remanded to public Duty.

A Demand has been made for thirty Dollars
per month for his Services, an imposition upon
the Public I could not Suffer, and in Consequence
an Action is Commenced Against me, as for
a Private Contract in the Court of Common
Pleas, Adams County Mississippi Territory,
where 'tis more than probable, interest and lo-
cal Policy, may influence unduly — Is it not
Proper Sir, that this Matter Should be Removed
to the Supreme Court of the United States,
they Certainly being a party. Will you be pleas-
ed to Submit the Same to the Attorney General,
and if Such Should be his Opinion, transmit
to this Country, the proper precepts — Much
more Sir depends upon this Question of Juris-
diction than what is immediately involved
in the Subject now before you.

I take leave for the more full information of
the Attorney General and yourself in the
Business to enclose Sundry Papers in Relation
thereto.

No. 1. is a Letter from Mr. John Minor Stat-
ing that he Should Sell the Interpreter, provi-
ded I would not engage him for one Year at
thirty Dollars per Month, although I had

Some

1000 Some Considerable time before advertized him of Valuing his Services at fifteen only, to which he then made no Objections.

No. 2. My Response.

No. 3. Notice of having Sold him, and desiring I should deliver him up, in Consequence of Which, I called upon him, Stated the importance of his Remaining in Services — That I would make any Representation he might ask to the Secretary of War, for increase of his Wages, or to obtain his dismission, if that was most agreeable, but that I should not willingly Suffer his Departure without the Secretary's Leave — having Reported him in Public Service and was given to understand, that endeavours Should be made to Continue him to my Order and Governments use —

No. 4. Mr. Minors Letter handed me by the Mr. Nolan before mentioned, who ordered and took away the Interpreter.

No. 5. My Letter to the Attorney for the United States and Territory within this Government and a deposition Subscribed, though not Sworn to, and which I understood was admitted as a true Statement by Mr. Minor before the Judges

No. 6. a Letter from Mr. Minor Containing an

ac

account for the Interpreters Services, and demanding payment.

No. 7. Reply to No. 6.

I can not close this Letter without doing the Justice to Major Minor to Observe that I sincerily believe he will pointedly Reprobate this Conduct of his Attorney, and that he is totally uninformed thereof.

I have the honour to be with the highest Respect &c,

your Obedient humble Servant,

(Signed) Winthrop Sargent.

The Honourable Secretary of War.

Morning of May 19th. 1800.

The Governour late last night received from the Honourable Judges, Brush and Tilton, a Bill to render Legal the proceedings of two Justices of the Court of Common Pleas, Pickering County in "Adjournment" (as well as all other Proceedings of the two Justices") instead of a Bill to legalize the Proceedings of the Justices of the inferior Courts, in holding a General Quarter Sessions, Contrary to Proclamation founded on Law. as well as the illegal holding and Adjournment of the Common Pleas.

1/Sept

10900 Upon this Subject believing it of much influence
the Governour so abundantly dilated on his
first meeting the Judges in their present Session
that he can have nothing to add.

He Requests their honours to Return him
the Bill he laid before them in Point to the
Premises. with their Objections in Writing—
as he is particularly Anxious, that at a Crisis
from which the Validity of all subsequent Pro—
ceedings of those inferior Courts may be
Questioned his Conduct and Proceedings Should
be adjudged from their own Merits.

dissent to a Bill. by the Gov.

The Bill from the Judges is Returned, the
Same (in the Governors Opinion) tending
Prominently to Countinance an Opposition
to a very Salutary Provision in the Laws of
this Territory, Submitted to Congress ten years
Since, by these North Western Territory, and
again from this Government, and of Course to
be Supposed Sanctioned, by their Approbation.

The Governour most unfeignedly, as well as
Respectfully assures their honours Judges Wain—
and Sitton, that it is with no inconsiderable
degree of Difidence and Regret, he feels himself
Constrained to dissent from them in Questions of
Law, and Constitutional propriety.

The Honourable Judges

Wain and Sitton

1800 No. 82. Mississippi Territory

June 1st 1800

I herewith transmit you a rough Sketch of the Buildings at the Villa Gayoso, Pickering County, with two Letters from John Girault Esquire Lieutenant Col: Commandant of the Militia there, Relative to the Claim of a Mr. Green for the Same and the Lands upon which they are Situated,— Also a letter of Mr. Harding whom I have appointed to prosecute the Pleas of the United States and Territory. Mr. Hardings Statement and Col: Grault's Letters are so full upon this Subject, which I have before taken leave to intrduce to you, that I need only to impress more forcibly the importance of the Question of Territorial Jurisdiction over the Claims of the United States within our Government, which I very believe would involve the Sale of much Valuable landed Property, and other intersting matter— I need not mention to you that the Object of this Letter is to obtain inform the Opinion of the Attorney General, and Counsel for future proceedings, which I presume may be more properly solicited by you than in direct Application from myself, and which Considering his many important Avocations—

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and the uncertainty of so timing an
June 1 address, as least to Hazard intrusion upon
indispensible Duty I feibeat to make—

Through your Obliging Agency Sir I
will hope to be speedily enough informed
and have the honour to be, Sir

your Obedient humble Servant

(Signed) Winthrop Sargent

The Honourable Secretary of State—

Mississippi Territory

June 1st. 1000.

Sir

I believe it a Duty to Submit the enclosed
Letter from a Magistrate of Adams County
to your Consideration, with this Observation
that Since my arrival within the Territory
there Scenes to have been a growing insolence
in the Choctaw Indians, which I apprehend
will terminate in hostility— Relying upon
promises of Charity, made for Govern-
ment by Mr. Ellicott, and my assur-
ance to Recommend them (as I have done)
for National Bounty, they have hitherto
been in Some measure forbearing but
impatience more and more Indicates
itself, and extends to insult, and depre-

1800 dations upon our little fields and other proper-
ty, aggravating to the Planters Generally, and
Line 4 in which my own interests, and Sympa-
thies, have a full Share —

With much Respectful Consideration
I have the honour to be Sir
your Obedient humble servant

(Signed) Winthrop Sargent —

The Honourable Secretary of War.

Proclamation,

By Winthrop Sargent

Governour of the

Mississippi Territory.

To all persons who shall see these presents Greeting

Whereas it has been directed by the Sovereign Authority of the United States, that for the due Execution of Process, Civil and Criminal within this Territory, the Governour shall make proper Divisions thereof, and from time to time

as

1800 as Circumstances Require, Lay out the Same into Counties, and Townships, Subject to Future Alteration, as may be directed; and it appearing to me, that the Divisions already made, cannot extend to the Inhabitants upon the Tombeckbee, and Other Eastern Settlements equal Administration of Justice: I have thought proper therefore to Erect a new County, and by these Letters Patent, do Ordain and order, that all and Singular the Lands Lying and being within the following Boundaries viz. The Territorial Boundaries upon the North, East, and South and the Pearl River on the West, Shall Constitute the Same, to be named and hereafter to be called the County of Washington. And I do further Ordain, that the County Courts, which have been by Law established, Shall be holden and kept therein, at M.c Intoshes Bluff, in the following order viz. The Court of General Quarter Sessions of the peace, upon the first Mondays in October, January, April, and July, year and every year; The Court of Common Pleas, upon the next Succeeding Weekes in the Same Months, also Yearly and every year: And that the Judge of Probate, Shall

holde a Court of Probate at the same place, upon the first Saturdays immediately following the times prescribed for the Court of Common Pleas, yearly and every year: Provided that the first Court shall be held on the first Monday in October next, and not before. And unto the said County of Washington is hereby Granted, all and singular the Jurisdictions, Rights, Libertes, Priviledges and Immunities to a County belonging and appertaining. And which any other County that is or may hereafter be erected and laide off, shall or ought to enjoy. Conformably to the Laws and Ordinances of the United States, and of this Territory.

In Witness whereof I have hereunto Set my hand, and Caused the Public Seal to be affixed this fourth day of June, anno Domini One Thousand eight Hundred, and in the twenty fourth of the Independence of the United States of America.

(Signed) Wm Henry Harrison

By his Excellency's Command

John Steele Secretary

292

1000

June. 5 His Excellency the Governour was pleased to ap-
point. James Fair, John Johnson, John Chastang
John Callier, Joseph Thompson, and Flood
McGuire Esquires Justices of the peace in the
County of Washington, and Commissioned
them in the Words following Viz

By His Excellency Winthrop Sargent Esquire
Governour and Commander in Chief of the
Mississippi Territory.

To all persons who shall see these presents.—Greeting

Know Ye, That I have Authorized and empowered
James Fair, John Johnson, John Chastang, John
Callier, Joseph Thompson, and Flood McGuire
Q.2.6. Esquires, Justices of the peace of the County of
W.C. Washington, to hold and keep a Court of Record
in and for said County, to be named and
Styled agreeable to Law, the Court of Gene
ral Quarter Sessions of the peace, and
therein to enquire by the Oaths of Good
and Lawful Men of the said County,
by Whom the truth may be better known
of all and all manner of Thefts, Trespasses
Riots, Routes, and unlawful assemblies

whatsoever, And all and Singular other Misdeeds and Offences, of which by Law Justices of the Peace in their General Sessions may and ought to enquire: by whomsoever or howsoever done or perpetrated, or which shall hereafter happen, how soever to be done or attempted in the County aforesaid Contrary to the form of the Ordinances, and the Acts of Congress, and of the Laws and Ordinances that now are, or hereafter shall be made for the Common Good. And to hear and determine all and Singular the said Thefts, Trespasses, Riots, Routs, Unlawful Assemblies, and all and Singular other the Premises, — And to do therein what to Justice Appertaineth, According to the Laws and Ordinances aforesaid.

In Testimony whereof, I have caused the Publick Seal to be hereunto affixed and underwritten my name — Dated at Natchez Territory aforesaid this fifth day of June Anno Domini One thousand eight hundred and of the Independence of the United States of America the twenty fourth.

(Signed) Winthrop Sargent

By his Excellencys Command

John Steele Secretary

William Williams Keeper of the Seal

294

1900

June 5. His Excellency the Governor was pleased to Grant a Commission to the Court of Common Pleas in the County of Washington in the words following viz:

Mississippi Territory

By Winthrop Sargent Governor of the Mississippi Territory

To all who shall see these presents ——— Greeting—

Know Ye, that I have by these Letters made Patent, appointed and Commissioned as Justices of the Common Pleas in the County of Washington John Johnson, John Chastang, John Callier, Joseph Thompson, and Flood M. Grue Esquires, And do Authorize and empower them or any three of them, to hold and keep a Court of Record in the Said County to be Styled agreeable to the Act in Such case made and Provided, "The Court of Common Pleas of the County of Washington", and therein to hold Pleas of Assize, Scire Facias, Replevins and hear and determine all manner of Pleas Actions, Suits and Causes of a Civil Nature

Real,

1800 June 5

Seal, personal, and Mipcal, According to the Consti-
tution and Laws of the Territory.

In Testimony whereof I have caused
the Public Seal to be hereunto affixed
and undersigned my name, dated at
Natchez Territory aforesaid this 15th
day of June, Anno Domini One thou-
sand eight hundred and of the Inde-
pendence of the United States of America
the twenty fourth.

(signed) Winthrop Sargent

By his Excellencys Commands
John Steele Secretary

His Excellency the Governor was pleased to ap-
point John Mc Grue Esquire Coroner, Samuel Postlethwaite
Mims Esquire Treasurer, James Fair Esquire Judge
of Probate; Wilson Carman Esquire Sheriff, and
Samuel McCorkle Esquire, Prothonotary to the
Court of Common Pleas, Clerk to the Court of General
Quarter Sessions, and Recorder for the County
of Washington, to each of whom According to
their Several Offices he Granted a Commission
in the usual form dated the 15th of June 1800.

He was also pleased to appoint Adam Hollen-
gen Esquire, a Captain of Militia in the County
of Washington, and grant to him a Commission
&c

1000 in the usual form dated the fifth day of June

June 6- He was also pleased to appoint Joseph Liggins Esquire a Captain of Militia, Flood McGrue and William Pierce Gentlemen Lieutenants and Daniel Johnson and John Lindon Gentlemen Ensigns of Militia in the County of Washington, to each of whom according to their Several grades, he Granted a Commission in the Usual form dated the 6th of June 1800.

He was also pleased to appoint and Commission the Honourable Judge Tilton, and Captain Bartholamew Shamburgh to administer Oath Office in the County of Washington in the words following viz.

Winthrop Sargent.

Governour of the Mississippi Territory.

Has thought proper to Authorize and empower the Honourable Daniel Tilton and Captain Bartholamew Shamburgh or either of them, to Tender and Administer unto all and every of the Officers, Civil or Military, now or hereafter to be appointed in the County of Washington, — the Several

Oaths

1000 oaths which are, or may be Required from them Respectively, and to Receive from them Subscriptions thereto, whenever the Laws of this Territory, shall Render the Same necessary;

In Testimony whereof he has caused the Public Seal to be hereunto affixed this fifth day of June Anno Domini 1800. and Undersigned his name

(Signed) Winthrop Sargent

By His Excellency's Command

John Steele Secretary.

The Grove June 6th 1800.

Dear Sir,

I Regret very much that I was not at the Sale to Receive your Visit, as I do on Public account and from personal Considerations, that you have So Soon taken your departure from us; but perhaps under the present Aspect of Matters, 'tis of much more Consequence that you should proceed into the new County — to give due Tone to Judicial Proceedings than enable us to Continue Legislating by Remain

(over)

1000

June. 15. ing at Natchez— The Gentleman appointed Clerk of the Courts will hand you this, also a Law authorizing a Term of the Supreme Court, and a Dedimus for Administering Oathes, to the Gentlemen in Commission, which as a Public Service, I make no apology in Troubling you with.

With much esteem I am

Dear Sir.

Your Obedient Humble Servant

(Signed) Winthrop Sargent

The Honourable Judge Tilton

No. 33.

Mississippi Territory June 15th 1800.

Sir

In a Collection of State Papers with which I have been favoured, from your Office I presume, though they were unaccompanied by Letter, I observe with an equal degree of Mortification and Surprize; the Progress of a Certain Mr. Hunter, Styling himself Mississippi Agent, and which I hazard Little in Saying, is unexpected to a Majority of that Class of Men, most respectable Accorde

10000

June 15.

to the general received Scale of Worth and Consequence; and that the chang in Government, which it appears he has nearly effectuated — So far from giving Satisfaction to a discontented party, will but Multiply and increase Complaint within the Territory.

Better informed men than Mr. Hunter or the Aggregate of the Committee, whence he is emanant, hesitate not to Say, he has made a very incorrect Statement of Wealth and Numbers, and that they are by no means willing, or prepared to meet the increased expense, which to the Second Stage of Government must unavoidably accrue — Further that they believe it most advisable to Confide in the modified Legislation of a Governour and Judges with the National Wisdom provided to give permancy to the Laws, than in any Code they might Reasonably Calculate upon from the probable Representatives of the present People.

Fondly persuading myself, that I enjoyed the good Opinion, and Confidence of every Branch of the General Government, I naturally inferred that the Petition of Cato West and Others would have laid over, for time to have investigated the Aspersed Conduct of their Servants, and Obtained the General Sense —

of

1800 of a people upon a Change Momentous to
June 15. them all, and perhaps not very wise in a
National Point of View: We have not yet
tried them — are not enough informed of
their Attachments or Partialities. Such
have Studied and ought to know them
better, than any other Servant of the General
Government, owe it to Justice to acknow-
ledge, I have met with genuine Zeal, intelli
gence and Rare Abilities, and I should be
unpardonably deficient in Liberality, did I not
Add (after the Observations from Mr. West
and others) that those Virtues Certainly
are not "altogether appropriate to "Native
Americans." But what is the Aggregate
Character and disposition? — I pretend not to
a General Knowledge of the people of the
Mississippi Territory — Congress have been
informed, that they are Principally from the
United States: No great Accession of Inhabi-
tants has been Attained, since the Change
of Government; why, and wherefore then so
many of our Countrymen here? I forbear to
urge the Enquiry, and Submit to national
Wisdom and Vigilence to adduce the infer-
ence

In order thereto, and in Conclusion as well a

Justice

Justice to my much injured Reputation, Queries are essential — They should be Solely Calculated to obtain Truths; and in the event Mr. Hunter Probably would be more known, and the Credibility, as well as Comparative Consequence of the Committee Stand on its own not the Merit of the whole people of the Missisippi Territory. Had Such Mode (which I have been taught to believe a due Respect for Public Character Should Have dictated) been pursued The good Opinion of the house, and necessary Confidence of this people, could not have been long Suspended by the So Wanton Allegations against the Administration of Territorial Government by the Executive and Legislature.

When Mr. Hunter left this Territory, I did not See him, though I had Courted the Acquaintance of this People Generally, and his Specially by a very honourable appointment in the Militia.

I have never Seen him, but from him and other Malcontents, I have written Impression of very different Sentiments, from what have been So Coldly avowed — No Sense of impropriety in Administration — No necessity for "Sifting our Rank and file" to Recommend an Officer — Pity for themselves they possess neces-

sary

1000 ry so Treacherous.

June 15 Mr. Hunter in his Mission to Congress may be said to have stole away, against Strong Remonstrance from the Territorial Secretary, upon the illegality and Probable Consequences of going through the Indian Country without a Passport from the Governor.— It was not until Some days after his departure, that I became formally Acquainted with any of the Objects of his Journey.— Though Vanity and intemperance had led him to Boast upon his management and the Mighty Change he would effect, in this Country and Administration.

Under the Panoply of Conscious Rectitude and Zeal in Service, I disdained all indulgence in Official Conduct, and Fondly believed I had nothing to apprehend; The whole Journal of Proceeding in the Executive department of Government, had gone forward Accompanied by a Copy of the Laws: from which I assured myself; not only of Ample Justification, but the merit of exertion, beyond the narrow limits of mere duty: And I still Continue to flatter myself that Special Investigation would do me honour.

To Organize a new Government upon the very Confines of the Power and Energy of the United States

10100. amongst a people of diversity of Interests, Sentiment and Language — Acknowledgedly unversed in Jurisprudence, and not all distinguished for their Complacency — without the aid of the Territorial Judges to a late Period: in ill health and under the Apprehension of an attack from a foreign Enimy; must be Confessed an Arduous Task — I draw not however upon the Good nature of my Country — 'tis Justice only I ask —

Impeachment seems to have taken an uncommon, an unprecedented form — An Obscure Individual upon Recommendation to Congress by a few Characters unknown to Fame — Unknown to that honorable Body (it is presumed) and from an almost unknown Land — Has gone forward with a Petition, in its nature libellous, and adding thereto of his own Communications in Sundry Letters Matter full of Accusation of unconstitutional, illegal, Contumacious, and Mercenary Conduct, in the first Executive Magistrate, which has been so far Accredited as to Constitute part of a Report to the National Representatives.

The Publicity of that Report, Printed by Order of the House, and dispersed to the most Remote Parts of the Union, with Comments full

J

1800 of Accrimony from a Source I forbear to
June 13 name, Still Systematically Calculated
to sap the Reputation of a declining life
the Morning and Meridian of which have
been most faithfully devoted to the honor-
able Service of my Country. Under those
unpleasant Circumstances, Silence might
be unpardonable — It would be enough for
my Freinds perhaps that I simply denied
the Consequential Allegations of the Missi-
sippi Committee Cato West Mr. Marshall
and others — Those who enjoying Reputati-
on, duly appreciate its worth would at
least Suspend Opinion; the Sovereignty of
the United States — The fountain of Justice
dare not Branch by any Act of disapproba-
tion, the Conduct of their Servants, but
upon proof positive of Malaconnis bratio
and to the Malevolent and the Designing
I throw the Gauntlet.

For my Freinds the Freinds of Truth, who
may be interested, and who have not Access
to the Territorial Records here or at the Seat
of Government, I should wish, if the Same
meet your approbation, to Publish the Record
of Proceeding in the Executive department Gene-

1800 but 'tis a measure I dare not accept with-
out permission

Upon the Mississippi papers generally, which
you have done me the favour to transmit
it may be proper to observe — That the State-
ment made in the Petition to Congress upon
the appointment of Militia Officers in a
Group, and detached from their Commands
— That one only of the Judges was Qualified to
Legislate or interested in the Operation of the
Law for Raising County Rates and Levies
is gross misrepresentation and falsehood —
The Militia Officers it is true were Collect-
ively, announced for Counties, but their
disposition, and every Legionary Arrange-
ment was Submitted to the Field Officers
under positive Orders, to Consult General
Convenience — This Appears in the Office of
State.

Under the Operation of the Law for Assess-
ment the Governour who holds 2690 acres
of Land granted to his Wife as a Feme Sole
by the Spanish Government, actually pays out
of 6040 Dollars a County Assessment for
Public Buildings &c. for the County of Adams in 1799 the Sum of 119
Dollars — The Members of the Mississippi Com-
mittee of the Same County Six or Seven in Number

and

.10100 and equal to two thirdes of this unnatural
Sum 1.3 Body are Assessed in Aggregate 120 dollars only.

The Boasted "Ardour" of their leading Members, Stated in the Petition, has been Conspicuous only in Violence of Opposition to Constituted Authorities under the Spanish and American Governments — The Governours Letter to the Secretary of State of the 20th. of December 1798. as must appear from the face of it, was really meant to promote the Interests of the people of this Territory, and under Such impression a well meaning Member of the Committee Obtained a Copy I believe from the Territorial Secretary for their Information — Shameless must they be, who blush not at the Base misapplication.

To the Petition marked n°. 1. I did in Truth Reply Verbally, as will appear by my Letter to you bearing date September 20th. 1799 And an Alarming inflamation in my Eyes at that time, from which I have not Recovered would have rendered it impracticable to have then Committed to paper, had I even deemed it necessary.

To Mr. Ellicott, of whom the Petitioners were so extremely abusive, I owed my Continued

Sense

sense of Obligation, for the Promptitude and Correctness of his informations, which influenced but did not Govern my Appointments through our Acquaintance of no inconsiderable Standing, and the high Confidence of Government entitled him to first Notice. I issued no Commissions, till the expiration of more than necessary time to have received Communications from Gentlemen in every part of the Territory.

My Address in your Office will abundantly Demonstrate, that I Courteously Solicited their Acquaintance, but to that Address I am Constrained to declare, I received no Response — The Rejoicings said to have been heard throughout the Territory upon the Arrival of a Governor from the United States were unknown to me, nor do I remember to have been honored with a Visit from any one of the Petitioners (a Mr. Dayton excepted) till at a late Period, when the pressure of exigencies made Military Appointments absolutely irresponsible, and it had been generally understood, that the favor amongst them who enjoyed any degree of Confidence even with their Associates, were intended to be honourably Noticed. — I could not a

1000 must be admitted Constrain any to receive
June 16 Commissions, but by the Resignations
and Non acceptances at the date of the
Petition, though those were a very limited
number I acknowledge, to regret — Govern-
ment has not been deprived of very much
of the Respectability, or intelligence of the
Country — the names of Gentlemen are with
the Territorial Records in the Office of State
to Corroborate this Opinion, and I pledge to
you my Sacred honour, that I have never
known an inferior Court in any of the Unit-
ted States, to possess so large a Share of
the Confidence of the People, as has been
unceasingly bestowed upon the Courts of
Common Pleas, and General Quarter Sessions
of the Peace in Adams County.

In the County of Pickering no Choice was
left me, this was a misfortune to the People
but not my fault, and to be Coincided only
by an Accession of other and more enjoyme
ment — The appointments however generally
I am Authorized to Say were as unexception
able even to the people themselves, as any
which Could have been made, for I have
been Assured through the Secretary of the
Territory from a Leading Member of the Com
mittee, that there were Six Obnoxious Charact

only in Commission; as small a proportion to the aggregate appointments, more than One hundred, as in most popular Governments I believe—

The appointment of Officers Civil and Military and the Visit made to Mr Ellicott, seem to be the great Crimes of the Governour, as charged by Cato West and Mann.

Their accredited Agent Mr Hunter assumes a bolder Tone, and to affix the Crime of deepest Die. Jealous of Exclusive National Right in all Money Matters, as is the honourable house he has so abroad by imposition, no Accusation could be seemingly more Effectual, than that of the Governours usurping it, from the Constituted Authorities in this Respect to the Region — The Assassin Stroke, Blazoned Him with Charges of Prodigality in Public Resources, future Views of Taxation &c. &c. has no doubt produced the full effect intended from this Quarter. one this, for the foul Traducer Could not hope to remain long undetected. In the Voice of Injured innocence an appeal has been made to the Justices, as you are will observe in the enclosed Public prints.

1800
June 19

The Sits of Public Buildings introduced by Mr. Hunter to Congress, as another Complaint against your Executive is fully explained in a Letter to Messrs. Walker and Evans, bearing date November 24th 1790 in your Office — It was fixed by those Gentlemen, with the Advice of Judge Burrin, upon the Principles therein detailed, and against my own private interest in Lands, which would have been Materially Benefitted by another Position, advocated by some.

Upon the Subject of making or adopting Laws, I have wrote you largely heretofore It is not necessary to Repeat my own Opinions — Many Letters in your Office, evince my Anxiety to have possessed the Codes of the original States. We began Legislating however, with the Laws of the Northwestern Territory only — They had been long Subject to the disapprobation of the Honourable Congress, and daring not to doubt their Attentions, we believed them good. — We have uniformly Continued however to declare our willingness to receive and respect Authenticated informations for the quiet and interests of the People.

An alarming Depopulation Mr. Hunter says

Took

took place under Doctor White &c— Since this Extraordinary information, I have made it a Business to enquire, and Venture to assure you, that Five families Constitute the Total— One of which migrated to avoid Prosecution for Malpractice, and that the Rescue have returned to the Territory.

This Depopulation is Ascribed "to the monstrous arbitrary Contumacy of Governour Sargent." My Treatment to the People of this Territory & Doctor White Specially, has been Courteous but he had made his Election, as was pretty evident from being found in this Country— The Governour or Secretary's appointment might have detained him a little, but all this is enough understood, I believe by the Doctors Acquaintances here and at the Seat of Government.

No Contumacy has ever marked my words or Actions. Save upon Anonymous, Menacing and Incendiary Letters addressed to me, and Privately Public declarations that I should have enough of them; the Observations that I was not to be operated upon in such way, that though the People of this Country might have so acted upon the News of a Spanish Governour,

even

1000 even to Forting him, that I should not be
June 15 deterred, by any Motive of personal Safety, or
Consideration from the full discharge of
My Duty — that I presumed not upon the
"internal ability" so pathetically harrowed
by the Committee, for it had been my
Maxim to defy faction in its most gi-
gantic form, may have been so Construed
But I fear Sir I trespass upon your impor-
tant time: Accused however Publicly with-
out the Certainty of other Means of averting
Falsehood, and foulest Slander, I rely
on your, and Public Benignity for for-
giveness — One other part only of Mr Hun-
ters much Defamation will I notice

The Governor has been in the habit of
Exacting and receiving fees for passports &c
Mr. Hunter.

In the Northwestern Territory the Gover-
nour has a fee upon all Civil Commissions
and which long since must have been
known to Congress — But believing it improper
that any Compensation should be made for
Services Contemplated in the appointment
it was never my Practice there to take it,
and the Rule in this Country has at my in-
stance been enforced by Law. Marriage is to
be obtained upon the Publication of the Ban

for three Several Holydays, at the expense of Seventy five Cents, or the Governour may License Specially without Publication — So 'tis declared by Law, which attaches great Consequent Responsibility — and so many Attempts have been made at imposition that the necessary Enquiries to granting Matrimonial Petitions, are attended in Some Cases with the trouble of taking Affidavits — Receiving and filing Certificates — Services not Contemplated in his appointment, and for which it has been his general Rule to receive eight Dollars — When Circumstances have Seemed to make immediate Solemnization so necessary that usual forms could not well be complied with, to the greedy he has made no Charge. — And to his Acquaintance generally — To Military and Civil Officers, who have had Occasion to apply, and when no doubts as to the propriety of Union may have arisen Licences have been issued Gratis.

Pawns in this Hospitable Country are few — The Law provides a fee, which has not however always been taken — For passports I have not received the Sum of twenty Dollars — It has been a Business of much trouble, Some expense in Printing of Blanks, and of late they Seem to be out of use.

Extreme Anxious Sir, always to live in the

good

1000 good opinion of our most respected Pre-
June 15 sident, I shall take leave to transmit a
Duplicate of this Letter to his Seat at
Quincy, though the same may not be exactly
in order, and I trust it may efface all
unfavourable impression, which the Bold-
ness of Charges can not but have made
upon his and your mind.

With most respectful Considera-
tion Sir
your Obedient humble Servant
(Signed) Winthrop Sargent

The Honourable
Secretary of State

Proclamation.

By Winthrop Sargent,

Governour of the Mississippi Territory.

Whereas it has been Enacted by the
Senate and house of Representatives of the
United States in Congress assembled, that
So much of the Ordinance of Congress of the

thirteen

1000 Thirteenth of July One Thousand Seven Hun-
no. 24 dred and Eighty-seven, and of the Act of Congress
of the Seventh of August, one Thousand Seven
Hundred and Eighty-nine, Providing for the
Government of the Territory of the United
States Northwest of the River Ohio, as Relates
to the Organization of a General Assembly
therein, and prescribes the Powers thereof,
Shall forthwith Operate and be in force, in
the Mississippi Territory. Provided, that until
the Number of free Male Inhabitants of full
age in the said Territory, Shall amount to
five thousand, there Shall not be returned
to the General Assembly more than Nine
Representatives" "and,"

"That until the number of free Male Inhabi-
tants of full age in the Mississippi Territory
Shall Amount x x x x x to five Thousand
the County of Adams Shall be entitled to
Choose four Representatives to the General
Assembly, the County of Pickering four, and
the Tensaw and Tombigby Settlements One"

"That the first Election for Representatives
to the General Assembly, Shall be on the fourth
Monday of July next, and all Subsequent
Elections Shall be regulated by the Legislature"

And Whereas it has been" further Enacted, that
it Shall be the Duty of the Governor of the
Mississippi Territory, to Cause the said Election

to

1000 to be holden on the day aforesaid, at
June 24 the most Convenient places, in the
Counties and Settlements aforesaid
and to nominate a proper Officer, or
Officers, to Preside at, and Conduct the
Same, and to Return to him the names
of the persons who may have been duly
elected.

Be it Known Therefore, that I do in
Obedience to the Will and pleasure of
the General Government, (as is herein
before Expressed) Ordain, that the Election
of Representatives, in the Counties of
Adams, and Pickering, and the Settle-
ments upon Tonsaw, and Tombigby (now
Washington County) shall be made at
the Places, where the respective Courts
have been ordered to be holden; and I do
hereby Nominate the Sheriffs Lewis Evans,
William Ferguson, and Wilson Carman
Esquires, to Preside at Said Elections, in
their Several Counties — And with the
Aid of the Coroners and Clerks of the
Courts of General Quarter Sessions of
the peace to Conduct the Same (in exact
Conformity to the Laws and Ordinance

1000 directing the time, and Ordaining the Qualifications of Electors and Representatives and to Return unto me the names of those persons who shall be Duly Elected.

Given at the Bellemont Plantation near Natchez this twenty fourth day of June Anno Domini One thousand Eight Hundred and of the Independence of the United States of America, the Twenty fourth.

In Testimony of which I have undersigned my name, and Caused the Public Seal to be hereunto affixed

(signed) Winthrop Sargent

By his Excellencys Command

John Steele Secretary

William Williams. Keeper of the Seal—

Though the Governour has by the foregoing Proclamation, discharged his Immediate Duty as prescribed by the Supplemental Act for the Government of the Mississippi Territory. it will not be taken amiss (he trusts) for him to add from the

1800 Ordinance of Eighty seven

"That no person can be Eligible, or Qualified to Act as a Representative, unless he shall have been a Citizen of One of the United States three Years, and be a Resident of the District, or unless he shall have resided in the District three Years, and in either Case shall likewise hold in his own right in Fee simple two hundred Acres of Land within the Same"

"That a freehold in fifty Acres of Land in the District, having been a Citizen of One of the States; and being Resident in the District, or the like freehold and two Years Residence in the District, shall be necessary to Qualify a Man as an Elector of a Representative"

And that the Representatives duly Elected will be Convened at the Town of Kaskaskias upon the fourth Monday of September next.

The Governour takes leave further to add his Sincere Wishes, that Perfect order and Regularity may be Observed at the Elections and that Contending Parties (which have been Stated to him heretofore to have exis-

may Cordially Harmonize to produce the most honourable Representation, of the Integrity and Abilities of the Mississippi Territory.

A Transcript of this Journal from page 227. was made for transmission to the Secretary of State, and Authenticated in the Words following Viz—

The foregoing one hundred and fifteen pages Contain a transcript of the Journal of "Proceedings of the Governor in his Executive Department" from the first day of January until the thirtieth day of June 1000, including two letters omitted in December 1799

Transmitted to the Secr. of State Aug. 1800—

In Testimony whereof I have undersigned my Name and affixed my private Seal, "as Secretary in and for the Mississippi Territory" at Natchez this 24th day of August 1000

John Steele

320

June 7.
1000.

omitted in the last Six Months

The Grove June 7th 1000.

Not until the last Evening my Dear Sir, was I honoured with your favour of the 20th Ult: Personal Anxiety for Mr. Fero may cease, for I believe he is in health at Natchez- though from report and the Complexion of a Letter received from General Wilkinson my apprehensions were equal to your own— The General seems to have been deeply impressed upon this Occasion, and having myself a full share of horror at the Atrociousness of the Offence I lost no time in Submitting his Letter to their honours the Judges, and have the Satisfaction to assure you, that I trust, we shall escape the Infamy of passing over in Silence this violation of Rights, which even Savage Nations have consented to hold Sacred— I would to God for the honour of our Government there remained equal hope of the due investigation for the Manyfold outrages upon Decency, and the Municipal Laws.—

as one of their Principal and (vice Justices I add) most Watchful Guardians, I believe in your Sympathy, and extreme Mortification, at that Apathy which has so strongly Marked our Character under the Administration of the Government of the United States — Repeated Murders, (or I am misinformed) have passed unnoticed — though attended by Circumstances of high Aggravation.

A recent and most abominable Transaction, I pray you, and through you, the Justices Generally may be followed by such legal proceeding, as is commonly had in like Cases, in most Civilized Countries, — The affair I allude to has happened upon, or near Second Creek, where some persons of the Names of Carter and Tomlinson, usurping "Vi et armis" to determine Questions Properly the Province of Courts of Justice, and Amply Provided for by Law, have it is Said, given and received Wounds, from which Death or Deaths may ensue.

Shall we not have your presence at the next Court? I hope we shall.

The Dignity of Judge Braun to return home and the hope of Materially benefitting a part of the Territory, by providing to

1000. Commence Judiciary proceeding under
June 7 the Example of one of the Supreme Judges
has induced my assent to Judge Tittle
going to Tombeckbee, to hold a Court
in the County of Washington, and of cou
Legislating is suspended—
We have passed but a few Laws—To add
and amend a title the Militia System,
one other Law in aid of Indian and Sla
Regulations— Extending Prison limits &
&c. five only, which you shall have as ear
ly as possible.

With Respectful Esteem
I am Dear Sir,
your Obedient humble
Servant
(Signed) William Sargent

P. S. Mrs Sargent and myself are ho-
noured and well pleased by your very
Obliging manner of expressing Mrs Clarks
and your own Remembrance of us— we offer
you very sincerely our regards and good
Wishes— we continue to regret, and very
much your Absence, but trust you will vi
sit us soon— come up to Court, and brin
Mrs Clark as far as Bellemont where we

1000
4.2

will be on the Morrow pleas God, and where we shall be happy to give you one of the best Rooms that our Cottage affords

(signed) W. Sargent

Coln. Daniel Clark

Mississippi Territory July 2. 1000

His Excellency the Governor was pleased to appoint George Cochran and Anthony Hogget Esquires Justices of the Peace in the County of Adams, to whom he granted Commissions in the usual form dated the 2d day of July 1000.

He was also pleased to approve of the appointment of Job Ruth Collon and Milling Wolley Inspectors for the Town of Natchez — John Balls and Gaard Brandon for the Township of S. Catharines William Dunbar Esquire and Charles Sargent for the Townships of Second Creek — Isaac Gaillard and Patrick Foley for the Township of Homochito

924

1000 July 6— Col: Henry Hunter and Thomas Dawson
the Township of Bair Sarah. To whom he
granted Commissions in the usual form
dated the of June 1000—

Bellemont Cottage July 6th 1000

Dear Sir

Not until this Morning did I receive
your favour of the 10th Ult:

I am truly in Sentiment and Sympathy
with you, respecting the Judges and legislation
a Number of Laws are wanted, and to legislate
is yet, in my Opinion, a part of the Judges Duty
I consented to an adjournment, to enable one
of them, to hold the Supreme Court in Washing-
ton County, but to my extreme Mortification
and Sorrow, am informed he Embarks from
Orleans direct for the United States—

I learned with much Satisfaction soon
after closing my Letter to you, that Mr. Dunbar
had taken the preparatory measures to mark
the high handed outrage upon Second Creek—
implicated as we are in Country Reputation
and Character, we must Lament however
that so many, and so heinous Crimes have
passed unnoticed.

I thank you for your friendly intention

of noticing so generally Mr. Hunters Letters—
the Progress he made at Congres I assure you
astonishes me beyond Measure—it seems
however that even the House rejected the Extra-
vigance of Members of the Committee; but
Great God! what would become of us, but for
our Senate—I Tremble when I think of the
Advancement to precedent heretofore made
in the Eastern States to depose them and
the Executive as useless Branches of Govern-
ment.

I enclose unto you all the Petitions, Reports
&c. upon Mississippi Affairs, which you will
be Good Enough to Consider as Right precious
and Return after you shall have perused them.

I have written thereupon to the Depart-
ment of State, which I will intrude (at
length) to your Perusal at Court Time, when
I possess myself. The Satisfaction of Seeing
you and Mrs. Clark at our Cottage—before
indeed I or you will certainly be up at the
Election.

A Friend of mine writes me from Philadel-
phia whilst the Business was before Congress
"it will end well and with
your Friends do you honour—the Fort" at the
Sett is to make you out an unapproachable
Washaw."—

all.

July 6th 1000

All this to my mind is a Bagatelle but I ought prove the falsehood thereof by Testimony of the most Violent of the Country — Merricks &c. who came to me under those prejudices but were converted to Truth as I learned from the Sheriff.

I had acquired a Character for "hauteur austerity &c.a — it had preceded me — it was up in an unfortunate Campaign against the Savages, where I acted as Adjutant Genral to an undisciplined Army from which our Country demanded Services, not otherwise to be calculated upon, than by Strict Subordination: — the result of a Punctilious discharge of my Duty, was a Volume of Complaint, and a World of Murmurs — Governour St. Clair Surrendered up the Matter as you may read at a Seizure moment if you please, and to the great Mortification of Calumniators, I obtained the full Approbation of our Country's lamented Chief, the Immortal Washington by the old and an Additional appointment in the Army then ordered to be raised.

I view it as a very considerable Misfortune to myself, but a much more Momentous one to the Country that we had not at Congress a Man of Truth and informed of Character and Transactions — I shall find a way

persuade Myself to wipe off the Odium which baldness of Charges has attached to me— but it has been so Considerable that some exertion on my Part is Necessary.

A Mr. Davis of Kentucky Member to Congress charges me to his Constituents for Usurpation; his manner and Matter is Ungentlemanly. He says,

"A Bill to authorize the Mississippi Territory to elect a Legislative of their own, and to take from their Governour the Power of dissolving and Proroguing them at Pleasure has passed the house of Represntatives the numbers in this Territory did not according to the Ordinance entitle them to a Legislature; but to Curb the Usurpation of their Governour, to wit, Winthrop Sargent formerly Secretary to the Governour of the Northwestern Territory Congress are inclined to grant them this extraordinary Privilege; and much fear this will not be sufficient to protect the people from the Insolence of this Federal Governour, as he still retains the Power of putting his Veto on all their Legislative Acts."

Mr. Davis in this Circular Letter is also abusive and full of falsehood to Mr. Adams's Administration, he says. "a Navy and Army have come into existence under it" "unconstitutional Laws have been passed" and prays God he may not be reelected: I make no determination but tis possible I may prosecute him for a Libel.

1000

July. 6— And, if there be virtue in a Grand J
of Adams County I assure myself of a
against Hunter West and Others for the m
unjust false and Milicious Libel that ev
was uttered— Mr. Stokes the Printer thou
perhaps not Chargeable with a Libel has Co
ducted very improperly— he has as you mus
have Observed published Hunters Letters with
an insinuation that the Governour and
Judges meant to limit their Circulation
and when Spoken to thereupon acknowledg
he took his Publication from the Pamphlet
upon the face of which the intention so plain
appears, but that he was instructed not to
print that part of it, and by a person who pro-
mised to indemnify him; he has refused to mak
any apology in his Paper though acknowledg
that he was sensible of his intention to deceiv
the Public— that an Advertizement therewi
was sent him but he should not print it i

Accept the Continuation of Good wishes fo
Mrs. Clark and yourself from Mrs. Sargen
and,

Dear Sir,

your Freind and

humble Servant,

(Signed) Winthrop Sargent.

Colo. Daniel Clark

N°. 4.

1000.

July 9

Dellemond near Natchez July 9. 1000

Sir,

Last Evening I receivd your Letters N°. 1. and 2. with the Enclosure from the Commandant of Arkansa

The measures you have already taken thereupon I should believe would be Satisfactory — Even had the Facts Stated been more recent —

I know not how you would have demonstrated greater Friendship or good Will — though we might wish to award to this Nation, a Degree of Justice equal to what we receive, yet in Such Instances as are Stated by Captain Vilamont, were they even for our own Citizens the Process would Necessarily be very Tedious — I know not of any Similar Instances of application to the Spanish Government, or how Such would be treated — this is a matter upon which we ought to be informed; for it will not be insisted I believe that a Spanish Subject can Claim all the Privileges enjoyed by the American Citizens under the Law to Regulate intercourse &c. with the Indians — Courtesy — fair words and every friendly exertion to Serve them is however incumbent upon us, and in doubtful Cases to make Appeal to the General Government.

We ought not to forget however that 'tis our Duty to Conciliate the Indians by all proper means, and that they (the Choctaws) having Some cause of disgust towards the United

10000 States, it behooves us to observe more than
Common Delicacy towards them.

Your notice of the Indians now Visiting at
Orleans is my first information thereof.— I
have I think long since communicated to you
the Marquis's assurances of Amity and
Strict compliance with the Treaty.

Bowlis Success at Apalachicola had been
announced to me by an American at Orleans
before the Receipt of your Favour.— he tells me
the Fort was well endowed, the Garrison One
hundred Men, but that they made no defence
and have disgraced themselves— that apprehen-
sions were entertained at Orleans for Mobile and
Pensacola.

I hope it is not true that either Chicka-
saws or Whites have been killed in the Nation
or at Cumberland— When the Story shall
be correct I trust you will let me
have it, with Information if any Inter-
ference of mine ✕ ✕ in may be necessary or
or useful. I am

I assure you
with much Esteem
Your Obedient
humble servant

(Signed) Wm Thos Saigrn

Col.o John M.c Kee
Lower Towns

1000 Private.

July 23d

The Honourable General Marshall
Secretary of the Department of State.

Sir,

Common report only has as yet announced you the Successor of Colo. Pickering in the Department of State — to that Gentleman I was in the habit of freest Communication and detailing every matter which I believed the Interests of my Country required he should know, though not always incumbent — Sometimes perhaps Supererogatory — Under your Administration I shall, in this respect Sir, be implicitly Governed by your Opinions — It cannot be construed Flattery, that I declare my full faith the Same will be correct — the high and Continued Confidence bestowed upon you by our Government so authorizes, and Commands that I should very much honour your Character.

The Whelming Calumny now attaching to my humble Name, is an unfortunate Circumstance of Introduction — first Presentation, and creates a new and Painful Sorrow. — but a View of those Pages "of Proceeding in the Executive Department" of Government which are in the Office of State, I fondly believe will Efface the hard impression which my Foes, and the Foes of Order have so industriously essayed to establish — I shall be accredited in

1000 your and every Candid Mind for the
Zeal, which has its uses in Civil as well
military Life, and which you Sir may
mand, beyond my more Duty, whenever Pub
Service Shall Require it.

The main object of the present Letter Sir
is to inform you of a dejection of some of
the Creek Indians as appears by Advice to
Major Minor from a Mr. Taylor
a Surveyor appointed by him and Mr. Elliot
to do some Business upon the "Line" — the
miles that eight hundred Indians from
Fuchabachees Talisees and Seminolas (Creeks)
and three Hundred and fifty Choctaw Indians
from the lower Towns had joined Bowles — that
with Several Vessels which were taken at Apala-
chicola they were Cruising upon the Trade from
Orleans, had amassed much Plunder Ardent
Liquors Specially, and that Colonel Hawkins
had been forced to take refuge in Fort Wilkin-
son — Mr. Togarts Letter bears date June
9th. and Major Minor informs me he is a man
of Truth.

The motives I hope may be sufficient to apol-
gize for this Communication direct to your
Office though the Same be not in due order —
have generally Addressed the Secretary of State
relying upon his goodness to make any In-
formations necessary to the other Departments
and Shall Continue So to do, unless you may
be pleased otherwise to instruct me.

1000.

Augt 1st

With Sentiments
of the most respectful Consideration
I have the honour to be,
Sir,
Your Obedient,
humble Servant,

(Signed) Winthrop Sargent.

July 23d 1000 Mississippi Territory

P.S. If it be true Sir, that the Choctaw Indians have joined Bowles to make War upon the Spaniards it is Probable they may have the Fifth Article of our Treaty with Spain brought to my View — I request instruction with not more than Eight hundred men Capable of bearing Arms in the whole Government, and not more than one third of them armed, I am indeed feeble.

(Signed) Winthrop Sargent

Mississippi Territory
August 1st 1000

Sir

I acknowledge to have been favoured with your Letters of the 6th & 20th ult: and Mr Ellicots Report of the 1st

At Mr Gerards Solicitation I should have made no Objection to the negroes having been put into his possession upon due pledge

1000 for their forth coming when demanded,
for the reference which has been made to the Gen
Aug. 2d — Agent which renders it impolitic for me
to make any interference at present.

With much Consideration & Esteem

I am Sir

your Obedient

Humble Servant

(Signed) Winthrop Sargent

Major — Pike

Bellemont Plantation

Sir August 2nd — 1000 —

Yesterday at noon I received a Cer
tificate Signed by yourself the Coroner and
Clerk respecting the late Election, but which
with the Note covering the Same, are not
enough Explicit.

The Law requires the Governour to Nomi
nate a proper Officer or Officers, to preside
at, and Conduct the Elections, and to return
to him the Names of the Persons who have
been duly Elected —

The Sheriffs &c are Officers of high Confide
and Trust, have been nominated — and a

1000
10 Return of the duly elected is to be made, be-
fore the Representatives can be convened—

The Acts and Ordinances of Congress in Point will be Shewn you by the Secretary if Required, and if the Construction thereof, Should be doubtful in your mind, I would Recommend Application, not only to the Attorney General, but the Law Judge in the Territory, for in much of (Counsel is declared Safety; and in the Result will be Expected a return of Such only as have been duly Elected with the usual Solemnities for its Authenticity.

(Signed) Winthrop Sargent

Lewis Evans Esquire

Sheriff of Adams County—

Mississippi Territory

August 10th 1800

Sir,

Upon the first of June I had the honour to address to Colo Pickering, whom I then believed the Secretary of State a Sketch of Public Buildings at the Villa Gayoso within this Territory and some Letters and

1800 Documents upon a Claim thereto a
aug. 10 has been brought forward by a Certain
Mr. Green to be laid before the Attorney
Genical.

I can have no doubt as those Ja
pers have gone forward by Express that
they will arrive safe with you, or otwi
standing their Address; I will add
therefore only, upon this Subject my
Solicitation for your obliging endeavou
to obtain and forward Counsel for future
Proceeding in this Business as early as
Possible.

Considering for heretofore the Secreta
of State as the proper Officer for all my Com
munications, I have scarcely ever imm
diately addressed the Secretary at Wa
ever upon Indian Affairs, and only
asked of the former to communicate a
he should deem meet.

In your Office it will appear I hav
very abundantly dilated upon this Sub
ject which a War may soon render pe
culiarly interesting — I would cheerfully
make a Summary but that my Eyes
are Scarcely Capacitated for Writings co
Day Indispensible, and the Emoluments of

1000 any Office adroit not of a Clerk.

I have Solicited that Charity for the Choctaws which was unequivocally Promised by Mr. Ellicotte as you may See Sir by my Letter to Col.o Pickering July 9th. 1799 - and (for the nonperformance of which, those men of Nature Scruple not to brand me as a Liar almost every Time we meet — They want only Arms and Ammunition to gratify their Resentments, and Passion for Predatory War, with which I am apprehensive they will very soon be abundantly Supplied by Mowles.

A Small Spanish Armada Sent against him from Orleans, we are informed is blockaded at Mobille by Three Sixteen Gun Privateers.

With the most respectful Consideration,

I have the honour to be,

Sir,

your Obedient

humble Servant,

(Signed) W.m Thos Sargent.

The Honorable

Secretary of State

330

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Aug. 10

Mississippi Territory

August 10th 1802

Sir

Upon the first of June I had the honour to enclose unto Mr. M.Henry late Secretary of War a Communication from a Magistrate of this Government relative to the Choctaw Indians, and expressing myself thereupon, to which I beg leave to solicit your particular attention, as a continued neglect of those people I apprehend will very speedily involve us in a War, expensive to the United States and Injurious to this Territory; very much seems to have been promised unto them by Mr. Ellicott when opening his Commission in this Country, and Nothing that I know of has yet been performed. — The late Secretary of State Communicated unto me as an Intention of Mr. M.Henry to make an Annual Allowance of Two Thousand Dollars, which if carried into Effect, would be too Small to produce any Good.

I have been in the habit Sir, of making almost all my Communications, even upon Indian Affairs, to the Secretary of State having never been otherwise instructed by the War Department to which I had more than

once applied for Information. Will you Sir be pleased to advise me— I beg leave to refer you Sir for Proof that we Stand Pledged in some measure to be Charitable to the Choctaw Indians to my Letter to the Secretary of State bearing Date July 17th 1799.

Upon the 14th of May I addressed Mr. M.c Henry upon the Subject of an Indian Interpreter, as well as a Suit that had been commenced against me, and upon which you are so Eminently Capable to Advise— Major Minor who has arrived here highly disapproves his Brothers proceeding, & assures me he Shall give orders to withdraw the Action; nevertheless Sir, I solicit your Opinion, and Instruction as to the Compensation I may be permitted to make him for his Slave, whilst he was acting as Interpreter.

Be pleased Sir also to Authorize me to take another Interpreter.

With most respectful Consideration,
I have the honour to be,
Sir,
your obedient,
humble Servant,

(Signed) Wm Throop Sargent.

The Honourable
Mr. Samuel Dexter
Secretary of War &c——

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1800

Aug. 12 The Governour Requests of the Sheriff to Cause the enclosed Extract from the "Law for the Regulation of Slaves" to be made Public by putting the Same up at the Doors of Taverns, and other Conspicuous Places, as many Complaints have been made unto him, of the Violation thereof by Strangers and Others, who may be Ignorant of the Law

August 12th 1799

Lewis Evans Sheriff of Adams County

Aug. 19 His Excellency the Governour for good Reasons appearing to him, was pleased to add to the number of Justices in the Court of Common Pleas in the County of Pickering, and accordingly inserted in the ensuing Commission the Names of John Hinds and Mordecai Throckmorton Esquires — done at Bellemont on the 19th of August 1800 —

1000 No. 36. Mississippi Territory

Aug. 26 August 25th. 1000.

Sir,

In consequence of Proceedings in the House of National Representatives, tending to implicate the Governour and Judges of this Territory, unofficially communicated from the Department of State, I took leave to address the then Secretary, in a long Letter bearing date the 15th of June; to Exculpate to defend and Justify, our aspersed Conduct.

Since that Period there has come to my View through the Medium of the Public Prints a Resolution of the House of Representatives for disapproving so much of Two of our Laws as Authorized certain Fees to myself and their honours — With Notice that the Consideration thereof had been postponed by the Wisdom and Justice of the Honourable Senate.

In a Public Paper Styled the true American and Printed at Philadelphia upon the 15th of May, we observe an Extraordinary Motion, and a more extraordinary Preamble, to have made on the Preceding Day, by the Honourable Mr. J. J. Davis, and Such as the most Rigid Justice Should not have dictated, but upon fullest Proof of Foulest Deeds; — To the distinguished Sympathies and Candour of Messieurs

1000 Harper, Craik, Nott, and Griswold, w

aug. 25 indebted for reminding Gentlemen, that t
accused had no opportunity of answering
the very Serious Charges Contained in the
Honorable Mr. Davis's Preamble — that if th
Censure was Just, Impeachment ought to be
obtained by other means" — more equitable
more ingenuous, and less dishonourable,
they might, well have Added.

And for impeachment, conscious we have
discharged our Duties, according to honour and
to Conscience we Stand prepared — Persuaded
always that the Tenure of Public Commissions
under the American Government, rests not
upon their Forfeiture.

Whether we may be indulged with the Pri-
vilege of being heard is yet a Question — Upon
most of the Allegations, So Odiously blazoned
in the Preamble of the Honourable Mr. Davis
I have I fondly trust So fully expressed myself
as at least to Suspend Sentence of Public
Condemnation — and in another Session of
Congress, Gentlemen who may Seek Truth, Shall
find, fullest Conviction, that we have been
most barbarously abused and Vilified — From my
own Part I have already thrown the Gauntlet
and defy the most insidious, as well as active
Malice to establish,

That I have "Acted under the Influence of a

1800
aug. 25

"Faction or pursued the Principles of Despotizm
"in excluding from my Confidence a Majority
"of the well disposed Citizens."

Or that I have "indulged an unwarrantable
"distrust of the great Body of this People, and
"appointed over them to Offices Civil and
"Military, Persons obnoxious for their in-
"trigues and Foreign Influences."

I deny that I have "practiced an Avarice, Extor-
"tion or any Oppressive Measure", as has
been ascribed to me by the honourable Mr. Davis;

It's Warranted by a Law — Predicated upon
long continued Practice of the Northwestern
Territory, and which had received the appro-
bation of Congress, we have sometimes de-
manded — with this very essential difference
however, and as is in Some measure Stated
in my last letter, that there the Governour
and Judges have Actually Exacted Fees for
Services expressly required by the Ordinance
under which they were appointed, Whilst in
this Territory (as it respects myself) this is
most Confidently asserted) they have been
received for such only as is termed Extra:

Judges in the Northwestern Territory are
allowed by Law a Reimbursement of all
expenses of themselves and Servants on going
the Circuits to hold the Courts; — They have also

fees

1000 Fees for allowing Writs of Error — Superse-
aug. 25 for taking Bail, filing bail pieces, and all
the &c.s for which the honourable Mr. Davis
has so zealously essayed to attach Odium
to the Judicial Character within this Go-
vernment — The honourable Congress could
not have been uninformed thereof, for the Laws
and Records in Point had been officially tran-
smitted by myself as Secretary — Consequen-
long ere the Practice of Exacting Fees could
have been adopted into the United States
Mississippi Territory.

Granting then Sir for a Moment the Exaction
of Fees to be wrong, should not Manly Candour
have dictated that the Example of an Elder
Colony — so long and so strongly Sanction
by the very highest Authority, we under God
can know, might in Justice have been ac-
cepted as apology, and we humanely
Shared the cruel Mortification of Suffering
the hard the intemperate Language with
which we have been assailed, in the Face
of Congress, our Friends, and the World! —

The Privilege of Gentlemen tolerating full
Freedom of Speech does not Warrant Indecorum, nor can any Power, I humbly con-
ceive, command my tacit Acknowledgement

1000 the "Avarice and Extortion" ascribed to me by
Aug. 25 the Honourable Kentucky Member.

Though Constrained always to Rigid Economy by the hard Service of my Country; I acknowledge not to have "Practiced Avarice or Extortion".

A Soldier of the Revolutionary War, I never turned not from the Field till the close there of and it may be Remembered by some of the Veteran Comrades in those Days of Peril and who have witnessed the Whelming Calumny so unjustifiably attached to my humble Name, that Bread and Fame were our Sole Rewards.

In Civil Life, of the Ten Years that the Government of the Northwestern Territory had been established, ere I was commanded to this Country the Arduous and Complicated Duties of Governour and Secretary, with the Accumulated Expenses of both Offices were mine to Discharge and without further Public Provision than the Small Stipend allowed the Secretary.

By Statements made to the honourable Congress in 1796 for a Compensation which is yet withheld, it will appear that my Expenses were necessarily very Considerable — the Salary Small and that there were none of the Operating Motives for an Avaricious Man to have Continued in Office; — that Reputation — a good name must have been the Grand Decideratum: Offices in your Western Country, were long Acknowledged by the Poets of Danger — hence perhaps their Fewness undisturbed, but Gentlemen read in the

1000 History of the Sufferings and Peril of the
aug. 25 Days a just and a grateful Country, cano
hastily Prostrate, Servants grown gray in
Hardihood and Toil.

The Honourable Mr. Davis Seems to have
been at much Trouble to establish, what the
Governour and Judges are very willing to
admit.

"That they have made Laws"—

As Secretary of the Northwestern Territory
and vested with the Powers of the Governour,
fully Concurred with the Judges, that we
were a Complete Legislative Body— We
never hesitated to manifest this to Congre
and the Laws by Governour St. Clair, the
Judges Parsons, Symmes, and Varnum En-
acted— as early as 1790 demonstrated
that Such was their Opinion Also; but I
Solemnly deny to have Acknowledged (as M.
Davis asserts I have) a Deviation from the
Ordinance of Congress in the thus enacte
of Laws— for the Ordinance in my Accep
tation thereof, tolerates So doing; in Strong
Presumptive Proof of which, I Shall offer (as
the Honourable Mr. Davis and myself seem to
have So differently read the Same) that the
Laws which were regularly transmitted to
the General Government, in one Solitary in-

Mr C Stance only ware ever disapproved, thus Evi-
25 dencing their perfect Coincidence in Sentiment
with us upon this very important Subject.

As a further Proof of their Will and pleasure
that we Should "make Laws" they have enacted
nearly in Words following.

"That the Laws of the Territory that have
"been, or hereafter may be enacted by the Gover-
nour and Judges &c"

And again

"That the Governour
"and Judges Shall be Authorized to repeal their
"Laws by them made whenever the Same may
"be found to be improper".

Whence we certainly may
take Leave to infer our most incontestible Right
to the very essential and Salutary Measure
of Enacting as well as adopting Laws for
common Good— And further that we Shall
Stand exonerated in the Minds of the Virtuous
and the Wise. from even the intention of exer-
cising that most dangerous assumption of
Power, So unadvisedly ascribed to us by the
Honourable Kentucky Member.

Amongst the Rolls in the Office of the Terri
torial Secretary we are ingenuously to ac-
knowledge a Law for the Punishment of
Arson, that Seems to have escaped the

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Aug-- 25

Watchful Eye of the honourable Mr. Davis, which together with the Statute against Treason are in our view alike exceptionable— no legal decision or Proceedings however have been had thereupon, nor will the Judges persuade myself, ever designedly transgress the Sacred Rules of our most respected Constitution— but so much has already been said upon this unpleasent Theme— without anticipating Opprobrious misconception of our intentions, and which appears in my Address to the Legislature of the 5th. of May, in your Office, that no more explanation or Comment can be now necessary.— In any formal Investigation, I hope to demonstrate, that the original of the Laws (our great Anxiety to dissominate, hastily sent to the Printer) was unexceptionable in Matter, but that we have been inadvertent in our Signature to the Rolls, can not be denied;— An act Acknowledgedly hostile to the Constitution, though we have the Consolation to believe it has Operated no Evil— For my own part however I claim not Indulgence in Official Transactions, and will await in respectful Submission, Such Censure as may be deemed proportionate to the Magnitude of my Transgression— but when it shall be mercifully

1800 Considered that the Law for the Punish-
Aug. 26 ment of Arson in the Northwestern Territory
— Subject to the Same Constitutional
Objections with any of the Statutes of
this Government, had been For Years
before Congress at the Time we adopted
it, (and never disapproved) it must be
received as an Extenuation of our Crime.

There has been transmitted to the Depart-
ment of State, the Copy of an Appeal to the
Justices of Adams County — made immed-
iately upon my receiving the "Reports" of the
Committee of Congress, to whom had been re-
ferred, the Petition of Cato West, and certain
Letters of Narsworthy Hunter. —

The only matter therein which I then deemed
of Consequence enough to engage my Special
attention — and Publicly demonstrate to be
false, was Mr. Hunter's so Positive Declaration
of my usurping the Powers of the Court (their
Duty to hold Sacred) and with most nefari-
ous and dishonourable Intention

My appeal is annexed to the Letter of
the 15th of June before mentioned, but it was
not until the 4th Instant, that the Justices
were in Session, which necessarily delayed
their Response herewith transmitted, and which
I respectfully solicit may Accompany the

1000 Petitions of "Cato West and others" as the
aug. 25 natural and Legitimate "Relative of those
Documents" which the honourable Mr. Davis
has proposed to lay before the President.—

Under any other Circumstances than a
base Impeachment of almost all the Territo-
rial Officers I could not myself announce
to Congress that the "accredited Agent of
those Persons, Styling themselves a Committee
Regularly Chosen by the Inhabitants of the
Mississippi Territory &c." Stands convicted
to every man of Mind, of Malice, Mischief and
Falsehood— and if words have meanings
that he is recorded in the honorable Court of
General Quarter Sessions of the Peace of
Adams County in their August Term— To
the Present People and Posterity as a most
infamous Liar.

The Character of the Members of this Court
Generally is, I believe, less exceptionable than
that of any other equal Number of Men
within the Government, but they are Suf-
ficiently known to reject or Confirm any
Estimation by the most Abundant Testi-
mony. The Presiding Justice is respectable
from Integrity, Science, and Wealth, with con-
Conciliating manners and an Independent
Sentiment most happily adapted to his Pub
Station.

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4 25

I shall take leave to enclose unto you his Charge to the Grand Jury in the Same August Sessn— Adding my request that it may be brought to the View of Government to illustrate the Reputation of Accusers and Accused— and for other purposes important To this Territory, whenever Proceeding shall be Continued under the Petition of Mr. West and Committee. — The name of Mr. Hugh Davis— in the List of Magistrates, will also be found on the Mississippi Committee— This and the Character which I have drawn of the former may Seem incompatible— The Motives for my own Appointments I can explain, but not always the Conduct of Officers.

This Mr. Davis is the Same Gentleman I have quoted in my Address of the 15th of June as the "well meaning Member of the Committee", "obtaining a Copy of a Letter of the 26th of December 1790 to the Secretary of State", and which he believed to have been by them most basely perverted;— He has since communicated to me that the Representations made in that Letter of the Sufferings of the Inhabitants from the Indians under Spanish and American Government then Complained of by almost every man of my knowledge; and late presented as a Grievance by the Grand Inquest, would

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aug. 25

have been Stated to the General Gove
at that Time, as a Wicked and Abomi
ble Falsehood of the Governour — and tha
neither injury or inconvenience from the India
had ever been Experienced by this People —
but for his Special Opposition to the Meas
made under the fullest impression of the
Justice and propriety of my Statements,
and which the Committee had been Constra
ed Reluctantly to acknowledge — Facts pro-
duced to them by Mr. Davis had been too
Strong, and of too much Publicity to have
escaped the Notice of many of the Member
and must induce a Powerful Presumption
of more than want of Candour upon the
Occasion.

The Clerk — Sheriff and one of the Jus-
tices have transmitted to me Some Docu-
ments Relative to the alarming Depopula
tion said by Mr. Hunter to have taken
place under Doctor White — the Site of th
Public Buildings," &c marked by, opposition
to General Opinion" and other Matter —
all which I take leave to Submit as Prope
to be brought forward in future attention t
the Motion and Preamble of the honoura
Kentucky Member.

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125

My respected Friend Col.° Clark deceased—
whose Eulogium and Worth have been so long
and so well Established, and whose Situa-
tion, as Commanding the Militia and Pre-
siding in the Courts of Justice, rendered
him more and better Conversant in the
Administration of the Government than
almost any other Man within the Territo-
ry (sensibly impressed by the Insults and
Injury offered to the Governour and the
Country) Devoted the last Moments of a
Life passed in honour, to the bearing Strong
Testimony against that Obloquy and Odium
which had been Produced by the unprincipled
Clamours of Malevolence.

Mr. Daniel Clark a Citizen of the
Territory — Nephew to the Colonel, and in-
heriting his Valuable Possessions in this
Country — a Gentleman long known and
Respected for his Spirited and Successful
exertions in Favour of our oppressed Coun-
trymen at Orleans, has Obligingly Comunit-
ted to one his Uncles Sentiments — Address-
ed, and intended to have been directly Com-
municated it Seems, to the honourable

Mr. W. C. C. Claiborne of Congress:

Testimony from Characters so Endowed, as to
Command universal Credibility, and so ho-

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aug. 25.. norrable to the Administration of this Government, I shall certainly avail myself of.— The Letter therefore from Colonel Clark to Mr. Claibornie and one from his Nephew, (in Connexion) I respectfully Solicit may be Considered by the honorable Mr. Davis as true "relative Documents" to the Petition of Cato West, and transmitted to the President or otherwise, as shall be deemed for his so Censorous motion and Preamble.

The same reasons Sir which induced me last long Letter, have made me at the Time thus immeasurably Prolix, and I have again to Pray your enduring patience

Once I would have deemed it an undue Condescension to have brought forward Vouchers of Collateral Aid against more respectable Men than any enrolled in the List of those who are Warring upon my Fame;— My own Declaration I should have believed Enough under any Circumstances but Jornal Impeachment— Wary however, and Apprehensive from late Sufferings and Persecution I would Guard against Wiles, wickedness and Surprize: The Precedent of Censure and other uncommon Proceeding upon "ex parte" Evidence and

Claude, Ltr. to Pres. U.S. 1804

1800 Statement demand our grave Attention more
than Ordinary Circumspection.

The attentions which have been bestowed upon the Representations of the Smallest and the least Respectable part of this Community, I will Venture to Say, has excited Astonishment in the mind of almost every man within the Missisippi Territory. That Mr. West and Signers of the Petition to Congress were not even a Majority of the Committee — pretended to have been duly Elected, is well known to themselves and no Secret within the Government.

The Circular Letter which Mr. Hunter States to Congress as originating this Body was an Indecorous Publication, dated upon the 6th of July 1799 requesting meetings of the Inhabitants in the Several Districts to elect Members for a General Convention —

This Letter to use the Language of Respectable Characters amongst us "was evidently "intended to have been Communicated to "those only who had been loud in Disaffection "to the Government:"

"not general" "but to "be confined to a few Individuals only".

If the whole People of the Missisippi Territory could have been Assembled, or a due proportion of Character only, the late Pro-

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aug. 25

ceeding of Cato West &c.ª would prob-
bly have been discountinanced in all its
parts— This is not mere matter of Opinion
for in the January of 1799 the Same was de-
monstrated by Analoy.

In a Committee who then Petitioned
Congress upon the Subject of their Lands,
were some of the leading Characters of
Mr. Wests Party— assembled with the
Same Views, which they have of late Accom-
plished, but the Members, who generally had
been Elected upon fair and honest Principles
that is after due and diffused Notice— Whose
names are with Congress, and who probably
were a Represention of the Will of the
Majority, Curbed, with Strong hand, the
Spirit of Faction and Intrigue.

Fourteen days only elapsed from the No-
tice contained in the Letter before mentioned
to the Time appointed for holding the Election
a short Period indeed considering the exten
of our Country and the dispersed State of
its Inhabitants: many respectable persons
indeed whole Settlements (Fensaw and Ten
bcckbee— Now Washington County) not inclu
were without notice upon this important
Occasion; nor can I learn, that in any one
of the Districts, there was an Assembly

1000 Sufficient for much less interesting pur-
Page 25 poses than Constituting Delegates to a
General Convention.

In the Town of Natchez which Compre-
hends an important part of Respectable
Population, forty persons only Assembled—
a Majority of them are Represented destitute
of all Visible Property— People of any Country
but never Acknowledged to have been enrolled
within this Territory— They chose two Dele-
gates— In the Certificate of the Election
however, the Qualifications of the Electors, are
Candidly Stated to have been Problematical.

One of those Delegates it is said never
attended the Committee, and that the other,
after in Vain Combating the Violence of
Proceedings, withdrew himself altogether.

This is certain, that neither of their names
are found affixed to the Representations
which have been Published from this Com-
mittee.

By unquestionable Authority I am in-
formed, that the Principal Inhabitants of
the Settlements of Big Black and Bayou
Pierre in the upper County, were without
Notice of the District meetings, and that out
of one hundred and forty Free Male Inhabitants,
who Should have Voted for Delegates to this Com-

1000 mittee, twenty only attended — The
Aug.t 25 — Their most Weak and most Abandoned
Characters were Elected — amongst wh
was one Robert Ashley said to have f
from the Justice of some of the Southe
States, and who has been indicted with
the Missis'ppi Territory for horse Stealin

All this, and much more Anecdote as
well as Public history of (and in relation to
Mr. Wests Committee was known to the
Reputable Citizens of the Missis'ppi Territo
and the national Inference:

" so just, so wise, and so Wary a
" Body as Congress will not Act upon suc
" irregular — Such Partial Proceeding"

was the general
Sentiment — the general Expression of th
most worthy Characters amongst us.

Experience however has shewn us, th
Conclusions founded upon the Intelligence o
man are too often fallacious.

Abstract of all Consideration merely Per
sonal I must sir continue to View it as a
very great Misfortune that One Party m
should have been heard upon Decisions so
Momentous to us all:

Information might have been had fro
Sources disinterested, impartial and of Co
fidence — Less intrusion and importunity

1002 upon the important Time of Congress (for the past — present, and to come) with more Tranquility to this restless Country would probably have been the happy Consequence:

General Wilkinson it is believed was at Philadelphia in Time to have met Enquiry — as an Officer of Rank and Confidence, he was worthy to have been Consulted — he had Spoke and written honorably of the Administration of this Government within my knowledge — he is conversant with men whom the People ought to have respected, and few of whose names are enrolled amongst our accusers — his Testimony must have been favourable to the Mississippi Territorial Officers.

He could have informed Congress that we are unprepared for any accumulation of Expense — that the Statement of Mr. Hunter of the Wealth and resources in this Government is exaggerated — that we were so involved in debts as to have rendered interposition of the Spanish Government between us and Bankruptcy absolutely indespensable — and that in Pickering County where discontent with present Administration had originated, there were not Enough of informed men to fill the present necessary Offices of Government: — It is my Duty however to endeavour to Conciliate all the People

1000 to the Charge which has been Commanded
Aug. 25. and I shall most Deligeously perform
With the Sensibilities of a Man wound
ed in his Fame — his immortal part
Reputation, I have Ben written much, but
I feel much more: — Assailed Violently
by a Party in this Country, from Motives
probably most impure — and in a manner
and Language, which I persuade myself
no Gentleman Shall ever cease to abhor,
Some unbecoming Warmth of Expression
Some undue Consideration of Self may
have escaped me, but that no Indecorum
to Characters in that honourable house, so
much my Duty to respect May be found on
those, or any of my future pages is the
Object of my most devout Prayers.

The honourable Mr. J. D. Davis of Kent
ky, Icons to the Governour and Judges
of the Mississippi Territory, to have been
unnecessarily Severe — Towards the former
he has practiced most wanton and Unwar
rantable Cruelty: —

He has given Publicity to one of his
Letters Seemingly intended only for his Con
stituents, but which has Circulated in the
Northwestern Territory where my very inter

1000- -cting Concerns — Where almost all my
25 Pecuniary Affairs are afloat, Calculated
evidently to impress the People with such
Sentiments as may do me irreparable
Injury.

He has added Insult to Injury by
addressing to me Directly a Copy of this
Letter, from which the following is a Ver-
batim Excript.

" A Bill to Authorize the Mississippi
" Territory to elect a Legislative of their
" own; and to take from their Governour
" the Power of dissolving and Proroguing them
" at pleasure, has passed the house of
" Representatives. The numbers in this Territo-
" ry did not, according to the Ordinance,
" entitle them to a Legislature; but to
" curb the Usurpation of their Governour,
" to wit: Winthrop Sargent, formerly
" Secretary to the Governour of the North-
" western Territory. Congress are inclined
" to grant them this Extraordinary Privi-
" lege; and much I fear this will
" not be Sufficient to protect the Peo-
" ple from the Insolence of this Federal
" Governour, as he still retains the Power
" of putting his Veto on all their Legis-
" lative Acts."

1000 I will conclude this long Epistle Sir, in
Sept. 1st the words of a very Celebrated Poet.

" durum; sed levius fit Patientia
" quicquid corrigere est nefas"

and Subscribe myself with
very Sentiment of most
Respectful Consideration
your Obedient, and
Governments faithful and
Zealous Servant

(Signed) Winthrop Sargent

The Honourable.
Secretary of State

No. 5

Mississippi Territory —
September 1st 1000

Sir,

I received your Letters Numbered
3, 4 & 5 the day before Yesterday, and
have detained the Express to the present moment
in the hopes of seeing Major Pike, who
alone Could Comply with Mr. Pantons
Wish for a Loan of Ammunition — over

1800.. it you know I have no Controul, but from this Gentlemans so well known, and so much esteemed Character, I am Anxious he Should be Gratified, and will Shrink to the Major in an Opportunity I expect to present in a Day or two, and give you notice by the first Conveyance — Your Express seems so Anxious to return, I venture not to delay him longer — It may not be amiss to observe, that it Seems to me only amongst the Possibilities that Mr. Panton will be Supplied from our Magazines — Latitude to the Commandants is very seldom Sufficient to admit Such Indulgence.

The Commandant of Arkansa I hesitate not to say Should Seek his Information from another Quarter

The Apparant pacific Disposition of the Choctaw Nation is pleasing to me — I have already Addressed the new Secretary of War to enable me to keep them in Good Humour, God only knows how far I may be Successful.

I am inclined to believe from Some Recent Information that the Spaniards made them no Presents in their last Visit I do not at present engage an Interpreter

but

364

1800 — but shall delay the Same till I hear
Sept. 5th — from the War Office upon that and some
matters connected therewith — Will you
give me the Character of the Man you m
tion, together with his Expectations

Adieu,

and believe me with much
esteem, Sir

your very humble Servant

(Signed) Winthrop Sargen

Col. John McKee. —

No. 37.

Mississippi Territory
September 5th 1800

To the Honourable

General Marshall

Secretary of the Department of State

Anxious Sir in the extreme to pre-
serve a good name which in a Service
of much Toil and no inconsiderable Share
of Peril I had essayed to attain, I have
presumed to Address two long Letters, bear-
ing date June the 15th and August the 25th
to the Department of State — to illustrat
Public

1810.. Public Transactions as well as the proceedings of some of this people, and avert the Curse of Infamy which seemed indelibly attaching to my Official Character: Copies of those Letters have been transmitted to my most Respected President, and I can nothing doubt a Conclusion honourable to myself and the Judges, from the due impression upon his and your mind.

Justice will mercifully Ordain that they be submitted to the Senate — to continue our Political existence and, what is of infinitely dearer Consideration in my mind, the good Opinion of Individuals in that honourable Body, to whose Wisdom and Virtues I render the Tribute of Reverence and Admiration. —

But when I Jealously Consider the Publicity of evil Report; that an Indictment has been preferred against me before the first Tribunal upon Earth — for Matter enough to Anathematize me in the minds of the great and the Good; and that the same may not be traversed — a Tacit Acquittal is not sufficient.

To Friends of Sensibility — Convictions of Acknowledged Worth — to an August Executive whose Confidence we have enjoyed, we owe a Public Explanation.

For an Offspring in whom we are to be perpetuated

10000

Incited, and to whom we had Per
Calculated upon handing down a Repu
tation undefiled, we must take Care tha
the Sons shall not blush because their Fa
thers have been defamed. It is therefore
Most Respectfully Solicit, that to the
Volume of Accusation, and proceedings
of the honourable house of Represen tatives
(criminating the Governour and Judges
of this Territory) and printed by Order, my
Letter of Illustration may Ingeniously be
added.

We have been humiliated before our
Friends and the world, in Publications, utter
under an Authority we are bound to respect
and diffused to the remotest parts of the Un
on— To the Equity of the Same Source there
fore, we appeal for the requested mode of
Exoneration.

However in this Seemingly Rational
Solicitation we are not to be Indulged, the
Gentleman who Obligingly takes Charge of
my Letter of the 25th Ult. and its Accompa
niments, will ask from you, a Copy thereof,
and that of the 15th of June Also for the Pur-
Provided my Printing the Same for Information
of Gentlemen of Congress and my Friends
Shall not to you Seem improper.

1000..

ft. 10th..

With every Sentiment
of the most unfeigned Respect
I have the honour to be, Sir,
your Obedient
humble Servant
Signed Winthrop Sargent.

By Winthrop Sargent:
Governour
of the
Mississippi Territory,

In Obedience to the Will of the General Government, expressed in the Supplemental act for the Government of the Mississippi Territory, it is incumbent on me to direct that,

Messieurs Cato West, Thomas M'Green, John Burnet, Thomas Calvit, Henry Hunter, and James Hoggatt, who have been returned as Representatives duly elected, Should Convene upon the Fourth Monday of the present Month, 9 o'Clock A. M. at the Government House in the Town of Natchez.

360

1000

Sept. 22d

No return has yet been received from County of Washington, and in Adams County, only two Members are returned duly elected, tho' Messieurs Sutton Banks, Anthony Hutchins, William Connor, Abner Duncan, and William Dunbar Esquire, have their names inserted in the Return (some of them, with a Considerable plurality of Votes) and are in Consequence invited to assemble also at the time and place which has been appointed for the meeting of the Representatives, when the said return will be submitted to the View of Gentlemen who may be concerned therein.

Given near Natchez

September 10th. 1000

(Signed) Winthrop Sargent

John Steele Secretary

The Persons Elected Representatives under his Excellency the Governors Proclamation of the 24th. of June having assembled at the Government House in the Town of Natchez Agreeably to his Notice of the 10th. of September, were met by him, when he was pleased to deliver to them, an Address in the Words following Viz ---

1800

p. 222

Gentlemen,

By the return of the Sheriff of Pickering County, it has appeared that,

Messieurs Caleb West,
Thomas M. Green,
John Burnet, and
Thomas Calvert,

have been duly Elected the Representatives of Pickering County.

The Sheriff of Adams County diffidents of his Powers under the Acts directing and Regulating the Elections within this Territory and which appear to have been very Variously Construed within the Same, is so indecisive in his Return, that I adventure not to announce to you the Members of this County—

I shall however cause his Return to be laid before you.

In Washington County there has been no Election.— The short Time permitted to forward on the Proclamations for the purpose was used to all possible Advantage, but Some unforeseen Casualty to the Land

1800 Express prevented its arrival timeously

Sept. 22. for a general Notification to the Inhabi-
tants to assemble, upon the Day which
had been Ordained by Law.

Water Conveyance, then more than com-
monly precarious has been also unpropitu

I regret very much Gentlemen a Disap-
pointment which may possibly delay, or
(what is still more unpleasent to Consider)
embarrass any immediate proceeding in the
important Nomination to Congress — for
even though all the Obstacles arising merely
from the want of a Sufficient Return of the
Sheriff of Adams County might be removed,
yet you Gentlemen probably would be ex-
treme Cautious of proceeding to Measures
which may lead to very interesting and
permanent appointments within this
Territory whilst a County (which there
is very little Doubt will be entitled to
two Members in this House) shall remain
totally unrepresented:

Mistake not however Gentlemen
those well meant Observations — and so na-
turally pertinent to thes Occasion, for
Obtrusive Counsel.

I am too much, and too importantly

1800 impressed by a Sense of due deference for
Ætt. 22d. appropriate prerogative, and respect for
that important Character which you
are now about to assume to intrude either
Advice or Information:

To facilitate however the Operation of
the Supplemental Act for the Government
of the Missisippi Territory — as Magistrate
and Citizen, I offer myself most cordially
to your Service;

in the former Character,
as an Official Duty it is Sacred and in-
dispensable: as a Citizen and Inhabitant
of the Missisippi Territory no one can be
more interested in its General Welfare and
Prosperity:

My Fortunes are inseparably blended
with your own; Upon the Public Weal de-
pends the well being of myself and Family
permanently established within the Govern-
ment.

That the most abundant increase of
Good therefore — and full Contentment (The
Rational Consequences thereof) shall suc-
ceed to the Change of Government we Con-
template; — That it may be attended with
more and greater Blessings than Warmest
Imagination can have ever portrayed is
my Sincere Prayer.

1000

Sept. 22d.

but I will not further adventure the imputation of Trespassing upon your important Time — or unnecessarily to arrest your Attentions —

The Pressure of private concerns and avocations — so very intersting at this Season, must render you Specially anxious to enter upon your own immediate Duties and impatient of delay.

To have Convened you Gentlemen, and Jornally Communicated the due Notice of Election in the Several Counties;

To have Inforced the Laws of the United States, applying to the purposes for which you are at this Time Assembled — and which will now be laid before you Constitute, I believe, the Total of Executive Duties in the present Relation of the Government to this Honorable House —

So far Gentlemen as I have exceeded those limits you will be pleased to ascribe to my zeal in Service — to my Strong Anxieties that our Proceeding upon the present and indeed every Occasion should seem to the General Government to have been perfectly correct.

The Failure of the Election in the

1000

County of Washington, and the Insufficiency
Sept. 22d. of the Return from Adams County to Com-
plete the number of Representatives which
had been Ordained — Together with Such
of your Proceeding as you may, do me the
honour of communicating, I shall take
the earliest opportunity to transmit to the
Department of State, for the Information
of the General Government

(Signed) Winthrop Sargent

Mississippi Territory Adams County and
Town of Natchez 22d. September 1800.

Oath

You and each of you Solemnly Swear, that
you will be faithful and true to the
Mississippi Territory, so long as you contin-
ue Citizens thereof and that you will faith-
fully execute to the best of your Abilities
the Office of Legislators.

At request of Messieurs Cato West, Thomas
M. Green, John Burnet, Thomas Calvet, Henry
Hunter, and James Hogget, I have this 22d
day of September, attended at Government
House, and Administered unto them the above
Oath. — Anno Domini 1800.

(Signed) Winthrop Sargent.

Governor Mississippi Territory

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1000

Oct.r 1st

Mississippi Territory

Sir, October the 1st. 1801

My communications ever upon Indian affairs though more properly perha
appertaining to the Department of War
have generally Sir, been Addressed to the
Secretary of State, with Request for thei
communication as might be proper—
They have been Voluminous, and contain
notice of the urgency of the Choctaw Indi
ans for Charity— their high expectations
founded upon Letters of the American Commi
sioner Mr. Elicott— their chagrin, and any
Apprehensions from their Disappointment—
that our Planters, Subjected to long contin
Suffering from the Devastation of the Indi
Visiting in the Character of Freinds, would
resist with Violence the enormous reiterated
Demands upon their property, and make
them open and avowed Enemies.

I have presumed to advise, that certain
Stipulations should be entered into— that
Some Annual allowance Should be made
them, either in Consideration for Lands, or
as Charity, and in fulfilment of the promis
which Mr. Elicott had made.
I have pointed out Some of the Inconveniences— the
Misfortunes which may accrue from the

System of Indian Regulation in the South
ern Department.

That the Governor being the Lawful Su-
perintendent, in Virtue of his (Controuling)
Powers may thwart the best disposidions of
Colo. Hawkins — that the Acts of the United
States which had taken away his Supre-
macy as Principal Indian Agent, in the
event might deprive Government of the
Services of a most Refractable Character,
and eminently Calculated for his Situation
amongst the Creeks — that legislative in-
terposition seemed to me essential to
Continue him, and prevent the clashing
between us.

Colo. Hawkins Communicates with the Choc-
taw Indians entirely independent of the
Governour of this Territory — He has the
Power I believe to Constitute Agents un-
der him who have not the Obligation to
report unto me, as has been ordered
for the Gentleman appointed by the
President to the Choctaw Nation, and
with all the Responsibility of Superin-
tendent "ex officio" of the whole Southern
Tribes.

I may not only be uninformed of the Affairs
of distant Indians, of Consequence for me
to know, but of the Choctaws Also, and in

376
1900
Oct. 1st

matters highly important for the
and welfare of the Territory— Col: Ha
nor the Agent with the Chickasaws, or C
rokees— or a Mr. Mitchell appointed I
believe by the Colonel and itinerant (I
seems) resort unto me, though the Indian
with whom they are resident, are not
unfrequently stirring up Sedition among
the Choctaws.— Application has lately bee
made unto me for the recovery of som
Negroes, plundered a few years since
and taking refuge with the Garrison at
the Chickasaw Bluffs— They were claime
by the Cherokee Indians— the matter ha
before me by the Commandant of the
Regular Troops within this Territory for
Adjudication, and about the same time
Submitted by the Officer at the Bluffs
to an Agent with the Cherokees— I had
only Time to Suspend a decree which
I had then thought proper, and which
I embraced to prevent unfavourable Impr
pression upon a people apt enough at
finding out the imperfections of a
System which has fallen off. I believe
Subjected them as well as the United
States to Imposition.

I had flattered myself in Consequen
of some Communications long since re
ceived from the General Government, tha
this Subject would have received the due

attention — Hope is received Sir, under your Administration, and I trust that to the Responsibility of Superintendent if Continued to be attached to the Office of Governour the necessary Accompaniments will be Added.

Policy Seems to dictate that the Officer who should Preserve an Influence in Peace and War over the Indians Should be Considered by them as the Fountain of all their Good, or at least the Channel through which Charity, the Donations of Government are to flow — but the reverse of this has been Observed — Subaltern — Noncommissioned Military Officers — in Some instances, who were here to day and gone to morrow, whose Influence with Indians could not avail Government have been Supplied with the means of feeding and Clothing them, whilst the legal Superintendent could not Command for them a Single Ration — That practice however it appears has of late been restricted, but Some Presents, I am informed are now ordered immediately to the Choctaw Indians to the disposal of the Agent, of which it Seems to me, I should have been advised from the proper Department — Indeed Sir I presume to believe that all affairs whatever of the Indians over whom I am to retain a Superintendency, Should be managed through me, for otherwise in Justice, I ought not to be Responsible. —

Agents

1800 - -
oct. 3d - -

Agents thought appointed by the Pre-
dent, under particular Circumstances, per-
haps ought to be Suspended by the Super-
intendent — our Distance from the Seat
Government the Reason — I have had Oc-
casion formerly to Complain of one Jon
ing an Offender to escape from the Juris
of this Territory.

The motive for this Address being the
Public Weal, I assure myself you will
pardon my so long engaging your Attention

I have the honour to be Sir,

most respectfully,

your Obedient,

humble Servant,

(Signed) Winthrop Sargent.

The Honourable

Secretary of War

Cottage Bellemont Plantation

Morning of October 3d 1800—

Sir,

I acknowledge your Notice of the Pas-
sion of the honourable house of Representati
"That the Election of the Member from
Washington County has been illegal, with
the Recommendation that a Writ of Election
Should Issue to provide for the attendance
of a Member at the next Session"

My

1000

My Copy of the Supplemental Law for The Government of the Missisippi Territory being now before the house, I can not conveniently refer thereto, but if my memory Serves me, the Powers which had been delegated to the Governour for the issuing of Writs of Election, are abrogated by that Law—

Should however, the Territory, in the Opinion of the house, be liable to Injury or Inconvenience— or the Advancement of the new Order of Government retarded, by the delay which a Reference to Congress would necessarily Occasion, I will concur in Recommendation to the people of Washington County for a New Election, and earnestly Solicit that the Measure Shall be legalized— Under my present View of the Business, this Sir, Seems all that I can do, without an Assumption of Power, which my own Judgment would Condemn, and which the Wisdom of the house I am Sure, could not approve— I have the honour to be,

Sir,

your most Obedient,

William Sargent

(Signed) The Speaker

of The honourable house of Representatives

300
1000
O.T. 3

Natchez Representatives Chamber
3d of October 1800

Sir,

The House received your Excellency's Polite answer to their Message of Yesterday respecting the Election of a Member for the County of Washington, and from your proposals of Recommending to the People of that County, to hold a new Election for that purpose, and of your laying it before the General Government in expectation that it may be legalized, which Proposition hath induced the House to presume that it may be equally Constitutional to Countinance the Election already held.

I have honour to be Sir your Excellency's

Most Obedient Humble Servant

Speaker

His Excellency
Winthrop Sargent
Gov.r Missisippi Territory

1000.

J. C. J.

The foregoing was handed to the Governour by Messieurs Hutchins and Burnet of the house (omitted to have been signed no doubt Accidentally).

The Governour Verbally Replied that the honourable house must have misunderstood him in supposing he had proposed the Recommendation for a New Election and with the Expectation it might be Legalized, for he had only intended an Assurance of Concurring with the house in such Measures as emergency should seem to them to demand—

That if a Request was made unto him in form to solicit the Legalization of the Election already had; it would be a duty to lay it before the General Government but there was in his view a Very essential difference between the same and such as might be obtained upon the Concurrent Recommendation of the house and Governour in evident disposition to meet as fully as possible the seeming intention of the Law to Regulate Elections within the Territory—

This Measure at the time appeared to have the full approbation of Mr. Burnet, but of the proceedings of the house thereupon, the Governour has not been informed.

302.
1000
Oct. 4th.

Bellmont Plantation
October 4th. 1000.

Gentlemen,

From a Statement made unto me by Captain Vidal Commanding his Catho Majesty's Post of Concord it Seems that a Mr. Philip Nolan of this Territory, is preparing to enter the Province of Louisiana in a Manner that may disturb the Amity Subsisting between the United States and Spain, and which Duty, as well as sound Policy, dictate unto us to prevent —

Under the Apprehension of Political Evil it is Wisdom I believe to use Precautions, in which Faith, I inclose unto you, Captain Vidals Statement, nothing doubting your disposition to pursue the most Energetic Measures to preserve Peace to our Country and the Dignity of Government —

I will thank you Gentlemen to Acquaint me with your Proceedings in the Premises, as soon as is Convenient, and am,

with very much Respect,
Gentlemen,
your Obed. Humb. Servant
(Signed) Winthrop Sargent

Honorable Judges, Lewis & Brown.

1800

6th

The Court of General Quarter Sessions for the County of Adams having Recommended to his Excellency the Governour, Joshua Howard & Anthony Hoggatt Esquires as proper to be appointed Inspectors of Cotton Gins &c. were by him Approved and Commissioned Accordingly the 6th day of October 1800—

He was pleased also to appoint John Pierce Esquire Coronor for the County of Washington (Vice John McGrue Esquire who declined accepting the Office,) to whom he granted a Commission in the Usual form dated the 6th of October 1800—

Mississippi Territory

Bellemont Plantation Oct. 9. 1800

Sir

In Continuation of that uniform System which has been persued by our Government to preserve Amity between Spain and the United States, I immediately laid your Statement of the 4th instant before the Territorial Judiciary— Mr. Nolan has in Consequence been Commanded before them, but the allegations against him, not being supported, he was discharged by their honours—

I am happy to be informed that the measures

304.

1000.

Oct. 10th

Measure with Mr. Nolans assurances had no hostile intention towards Spain has fully satisfied you as to the Procedure of the Judges and myself in behalf of our Government — and the Justice due yours.

I am Sir

With much Esteem

your Obedient

humble Servant

(Signed) Winthrop Sargent

Captain — Vidal

Post of Concord Louisiana

Friday Morning 10th of Oct. 1800

10 O'Clock A.M.

Sir

I have just now been favoured with your letter of Yesterday, asking in the name of the Honourable house, that their nomination for the Council, should be transmitted by me to the Secretary of State; and I request you to assure them, that I will Comply therewith.

This Letter has been Accompanied by Notice from the Honourable House of my Address of the 22d Ult: with an apology for delaying attention thereto, but which was unnecessary, because I have not been uninformed of the Embarrassments of Gentlemen

=Men, and have the Disposition always to
apply the most favourable Constructions.

Am at a Loss to know the Intention
of the Honourable House in Stating to one,
upon Such an Occasion, that Misrepresenta-
tions have been made to the General Govern-
ment of Members in their honourable Body—
it Certainly cannot apply to any Address
which is replete of Conciliation, and the
most profound Respect— no Cause for Cri-
minality I had fondly believed.

The Returns of the Sheriffs— and Certain
Papers Relative to Col.° Hutchins, appertain
to the Secretary's Office, and his Requested
may be Returned.

I have the honour to be,

Sir,

with due Consideration,

your very humble servant,

(Signed) Winthrop Sargent.

Col.° Henry Hunter.

Speaker of the Honourable
House of Repsentatives—

306

1000

Oct. 13

No. 30

Mississippi Territory

October 13th. 1800

Sir

In the Common order of Com
munication through the Territorial Secr
tary, Congress might remain uninformed
of the Progress in the Second Stage of Govern
ment that they have ordered during the whol
of the coming Session, which under existing
Circumstances of no inconsiderable Discon
tent, that I verily believe is growing into
Consequence, it is my Official Duty to pro
vide against, and keep them Advertized of
Public Proceeding interesting to all this peopl
and which I shall endeavour to do, in manne
as little Tedious as my Situation will Admi

The enclosed papers Sir, perhaps may
better effect the Intention than any narra
tive of my own— And I take leave to
Preface them with Notice that I did not
Receive the Supplemental Act for the Govern
ment of the Mississippi Territory, until the
24th. of June.—

No. 1. Is my Proclamation for the Electi
in the Several Counties— Took
the Advantage of a Return Expres
To the Choctaw Nation (in the
Spirit of that Economy) which
has

1000

has been ordered for me) To transmit it to Washington County, and but that his horse died upon the way the same would have been in Season.

No. 2— The Returns from the Sheriffs of the several Counties.

No. 3,— Contains Papers A, B, C, D, E, important to the Private, as well as Political Character of Mr. Hutchins one of the Candidates of Adams County, and which were Submitted to the House in Comcpion with the Sheriffs Return— Mr. Banks, another of the Candidates, the Sheriff did not return as a Representative, because he adduced no Proof to have been a Citizen of the United States the required Time, or that he was qualified by Property— To the House he produced a Deed for two hundred Acres of Land but the Acknowledgement bore date two days only Antecedent to their Sitting and of Course, long Subsequent to his Election,— Those Gentlemen are declared by the House to be Representatives, but they have not Acquainted me, upon what Principle they were Admitted.

No. 4— Is my Notification to those Returned as Representatives to Convene upon the

1800 Oct. 13 The Day which had been ordained by Law as also an Invitation to the Candidates generally to assemble — Mr. Dunbar however declined, expressing to me that he could make no Claim, probably because he had never been a Citizen of the United States, and our District was not of three years standing.

No. 5 — My address to the House of Representatives.

No. 6 — Letter from the Speaker announcing the Member from Washington County illegally Elected, and Recommending to the Governour to issue a new Writ of Election.

No. 7 — Governours Response to No. 6 professing to concur with the House in recommending to the people of Washington to make a new Election, and Solicit Congress to legallize the Same, provided in their opinion the Measure was essential to the Interests of the Territory.

No. 8 — Letter from the Speaker Signifying the opinion of the House, that it might be equally Consistent, in Congress to legallize the Elections already had, as any that should be

made in Consequence of the Recom-
mendation proposed — with the
Governours Sentiments upon the
distinction, Expressed to two of the
Members, who had waited upon him
with this Letter, and which has
since been committed to writing —
The Washington Member returned home
before the close of the Session, and
no Communication has been made
by the house to the Governour of the
mode proposed to obtain the Repre-
sentation from that County — Mr.
Mc Grue the Gentleman elected has
had no Agency in Business before
the house — So he has declared to the
Governour.

No. 9. A Letter from the Speaker to the
Governour, enclosing a nomination
for the Legislative Council, requesting
that it might be transmitted to the
Department of State.

No. 10. The Answer of the house of Representa-
tives to the Governours Address.

No. 11. A Letter to the Speaker acknowledging
to have received the the nomination
for the Council, with assurance that
it should be transmitted agreeably to
the Request of the house — In this Letter
I could not but notice to the Members
Some very discordant matter in their

Response, and foreign to the Conciliatory
Intention of my Address.

With a great deal of Cause for displea
sure, at Some of the Characters in the
honourable house, upon their misrepresen
tion of myself and the Judges to Congre
as Committee men, I essayed to Sacrifice
every feeling the natural Consequence ther
and which might militate aught against
the Public Tranquility; and right happy
Should I have been, to have been met by
the Disposition to harmonize.

In this Communication Sir it may be
proper for me to note, that in Adams
County, the number of Voters for Represen
tatives, have been Stated to me one hundre
and Forty two, in Pickering County, seventy
two, and in the County of Washington Seven
ty two.

I have the honour to be Sir,
with high respect
your most Obedient
humble Servant,

(Signed) Winthrop Sargent.

Honourable
Secretary of State,

Cottage Bellemont Plantation

20th of October 1000

Sir,

I have delayed to Respond to your Letters of the 22d. ult: and 12th. Instant, announcing your intention of Resigning the Offices of Presiding Justice of the Court of General Quarter Sessions of the Peace, and Judge of Probate, to give Effect to the Opinions of your Freinds and the Freends of Order, upon a Measure that must be attended with very injurious effects to our little Community and, which, diffident of your own abilities, you Seem not to be enough aware of.

I can readily admit, and I am sure no man will more Regret, that your Official Duties must interfere with the laudible pursuits of Science — Studies pleasurable to yourself, and Acknowledgedly of much Public utility. —

That a Young Family, most deservedly dear to you, have strong Claims upon your Attentions, And that the unjustifiable attacks so notoriously made upon you for the Conscientious Discharge of Torritorial Obligations is strongly marked with base ingratitude for the Services which I bear Testimony you have rendered to this Infant Country —

But Consider Sir, who are to be effected by your

1000.

Oct. 20.

your Resignation— May not the Example be followed by almost every man in Office The Malevolent and the licentious would no doubt be well pleased, but the peaceful Citizen,— the Friends of Good Government, and which I trust are a Majority within the Territory, would feelingly lament your withdrawing yourself from the Bench, at a Crisis more than commonly urgent for Virtue and Abilities in Office.

The Murders Robberies and other Enormous Crimes Committed within this Territory— and which have far exceeded any thing within my Observation in even more Populous Countries, imperiously Command the Collected Wisdom and Energy of the Government to Suppress

Those important and Melancholy Truths are solemnly submitted for Consideration, and in the Result, with your Determination I shall Accord.

I am truly Sir,

with Continued Esteem,

your Obedient humble Servant,

Signed Winthrop Sargent

Dear Sir

I have herein as you will observe on Dear Sir, departed from a general Rule "to press no man to Continue in Office", but stand Justified to myself, by a sense of Duty to the Public, and the loss they must unavoidably Sustain, from your Resignation in the present Moment.

I am Dear Sir
Your most Obedient Humble Servant
Signed Winthrop Sargent

William Dunbar Esquire

No. 39.

Mississippi Territory
October 21st. 1801

Sir

I take leave to transmit you the Copy of Presentments made by the grand Inquest at the last Session of the Supreme Court, in order that the Sentiments of so considerable part of the most respectable Characters in our little Community, may be thus Communicated to the General Government if you shall deem proper—

I will not dilate upon the Merits and Consequence of the Gentlemen making those Presentments or the former Ones, that have been laid before Congress by a Mr. Hunter In the original Presentments, a Copy of which

is

1001.

Oct-21- is in the Office of the Secretary of State
Congress— the Laws of the United States—
the Governour as Exciting those Laws—
with a vast Volley of &c.s are all Insen
as Grievances) Apparently timed for
Party Purposes, and Published at the
Seat of Government by Authority— Enqu
ry which Seems the unavoidable Result, will
no doubt Class men and Matter in the
order— And I verily believe that there
are but Few Characters indeed; with any
just Pretentions to Consequence from the
Endowments of Nature, or any Advantitious
Causes, and who were Signers to the Jury
Presentations so Partial a Published
Statement of which has recoiled upon
us in this Country that do not most
fully Accord in the Propriety and Justice
of the Enclosed Presentments.

By this Post Sir I have Sent on a
nomination for the Legislative Council of
the Territory, made by the house of Depresen
tives, and I think it a Duty to Observe
that there Seems an unnecessary, as well
as genral Lack of the Attributes which
the very name implies as essential to the
Office— An Evident intention to exclude
Men of Sense and Letters— Melancholy Con-

1000.

Nov. 12 -

siderations indeed, to myself and those whose
lives and Fortunes are thus Jeopardized.

I have the honour to be Sir,

Most Respectfully

Your Obedient

humble Servant.

(Signed) William Scargent

The Honourable

Secretary of State

Grove Plantation

Sir, Evening of November 12th 1000

A Hand Bill addressed to the Public,
signed by every Member of the House
of Representatives, and Journally trans-
mitted to me this Morning by one
of the Honourable Members, I am not
at Liberty to Consider a Dead Letter,
but in my Sense of Duty am bound to
notice.

Virtually as a House, those Gentlemen
have assumed to make Statements
which to my View, imply a Complete
Management of the whole Legislature,
and which no human Authority Could

1000

Nov. 12th

vest in us collectively, but with a Lease
of Lives and Places, during the Tempo-
rary Government; My Silence might
possibly be construed into Fullest ass
and implicate me in severest Censure
for though the Gentlemen do not an-
nounce themselves as a Branch of the
Legislature, yet if there be any distinc
on, it seems to me without a Difference

They are undoubtedly the proper Gua
dians of their own honour and Conduct
but nevertheless, will not I trust take
it amiss, in a Communication intended
only for themselves, that I should Obser
it has always been Considered derogatory
to the Dignity of Public Bodies, to notice
Anonymous writings, in the Style and
Manner of the Hand Bills, — it opens
a broad Avenue to Retort and Satire,
with many other Obvious and unplea-
sant Consequences.

The writer in "Greens impartial Observe
undersigning himself "a Friend of the Peo
ple", is to my View incorrect. Every pru-
dent Man I believe makes his Calculation
of Expense that may be incidental to

undertakings in which he is materially interested, whether they be of a Public or Private nature, and general Experience has shown, that such Estimates too often fall short of Actual Charges; under this Rule I have myself counted Costs, with much Data from the Operation of the Second Grade of Government in the Northwestern Territory, and which though otherways attainable by the Members of the Honorable House, I cannot upon the present Occasion Forbear offering in the Aggregate— It amounts to full information, and from a very respectable Member of the Legislature of that Territory that an Estimate, (not including the Expense of a Member to Congress) and equal to twenty five thousand dollars, had been found inadequate to Exigencies, and as our Citizens seem now in the high Road of Enquiry, this will probably soon become matter of notoriety. I will only further add, that the Compensation to Territorial Representatives from a Treasury upon which they can have no Claim, is believed to have been Admitted upon the Principle of Charity, the Incompetency of the People to the Expense, and that the Second Grade of Government, was the Effect of the General Ordinance— not a Special Solicitude

1000 on from a Country boasting of an Annual
Nov. 12 Income of seven Hundred and fifty thousand
Dollars — " extremely appropriate of a Legisla-
tive Assembly; and entire Competency of
Resources".

I have the honour to be Sir,

with unfeigned wishes for
such Measures as shall produce
most general Contentment,
and Respect for yourself,
your Obedient

(signed) Winthrop Sargent

Colo. Hunter Speaker
of the House of Representatives

No. 240

Mississippi Territory

November 12th. 1000

Sir,

In conformity to an order of the
Court of General Quarter Sessions of the Peace
of Adams County the Inclosed Presentments
have been laid before me — Requesting if I
read them right, that a Statement of the
unhappy situation of this Country, in Con-
sequence of the Supplemental Act for our
Government, should by me be respectfully Pre-

for the Consideration of the honourable Body — nothing doubting, that they may be graciously pleased to suspend the Operation of the same, until the second Stage or Order of Government, shall sufficiently appear to be the wish of a Majority of our Citizens.

I have ever Considered it as Duty sir to keep Government Correctly informed of the Disposition, and the Conduct of the People over whom I preside, and under such impression, have anticipated almost all the Wishes Expressed in the Accompanying Presentments, as well as those of the Grand Inquest, at the late Term of the Supreme Court, and which I had the honour to transmit by the last Post.

The Notification whence originated that Select Committee, the minority of whom have so unwarrantably assumed, not appearing with the Copy of Petitions and Papers borne by Mr. West's accredited Agent to Congress, I take leave now to forward for so I Conceive to be the desire of the Grand Inquest.

It came to my Ears through the Medium of an Officer of Government who informed me that it had Accidentally fallen into his hands, and he deemed it an indispensable Duty to make me acquainted with such extraordinary proceed-

1000 — he, probably had in View, the Sa
Nov. 12.. Thereof, as well as the very short notice
for a general Convention — This was two
days only before its operation, and as
have upon a former Occasion Stated to
you Sir, I have good and Sufficient reaso
to believe That a very Considerable Pro
tion of this People were not so early, o
indeed ever Advertized —

The Object of the notification it is observed
could not by any fair means be construe
to extend to a Change of Government
and hence is adduced an Inference,
that better to Mask the usurpation of
Authorities the Same had been kept back
from the View of Congress, and the Petitio
to that honourable Body is believed to ha
been very little understood within the Ter
tory until much Lapse of Time from its
Ejection with the general Government, whe
it seemed Unwillingly published in our Ga
zette, to the no inconsiderable Mortification
of a very Respectable Class of Citizens —

A Copy had been furnished me as I
have noted once before, a few Days after
the Original had been taken on by Mr.
Hunter, but the Adverse and discordant
Passion, which it seemed Calculated to inspi
prevented my Communicating to more tha

very few Gentlemen who Coincided the Sentiment of its very partial Circulation, and I think it a Duty to add that the means of making it general through the Press were amply within the Power of the Committee, seasonably enough to have afforded an opportunity for Objection to have found its way to Congress if such had either been the wish or the Intention.

In my Communications to the Department of State of November 1799, and Sundry other Letters I noticed a Retrocession of most respectable Characters from this Committee that in every Point of View the Territory seemed unfitted, and generally unaspiring to the Change in Government which the Law might be about to Solicit, and it is the Sentiment of almost every Rational Man with whom I have Conversed, that had Congress but Postponed to act upon Mr. Wests Representations, the good Sense and Conciliating Conduct of the Majority would have long ere this prevailed to Establish due Order and Regulation — a happy Confidence in the Laws which Should have Operated as preventive means against the Manifold and enormious Crimes which in So uncommon a Degree has Disgraced

1000 our Infant Country— and that a full
Nov. 12 Share of Peace quiet and general Con-
tentment would at this Time have be
the blessed Consequence.

a very worthy and Influential part o
the People of the Mississippi Territory
many of whose names are found in the
Lists of the Grand Juries making the
late Presentments— Under the Comman
of habits acquired in a Government
where they were per force silent, and
deeming also, perhaps too Contemptibly
of Mr. West's Committee and Agent, had
hitherto been silent, but in the late Con
stitutional opportunity which has been
afforded and the imperious Exigency
of the Times— Convinced that they were
the proper Organ of Communication from
the most Populous and the most Wealth
County in the Territory they have with
fullest Confidence in the Justice and
Parental attention of the General Govern-
ment respectfully taken leave to presen
their wishes, and their apprehension up
on an Act which they solemnly profess
to believe will tend to depopulate our
Country, most Earnestly soliciting, not
that the minority in Wealth, understandin
and Numbers may be supremely gratifi

10100 but that the Operation of the Mandate shall be suspended till a change may be demonstrated as the Wish of a Majority of the People—

It has been urged say these Gentlemen in Favour of this deprecated Order of Government, that former Presentments of Grand Juries Carrogantly Consorious of the very highest Authority and Executive Conduct, since Virtually confirmed by that Authority to have been correct)" Was undeniable Evi-
"dence that the change must be consistent
"with the wishes of the People— essential
"to their Welfare, and truly congenial to
"the best interests of the General Commun-
"ity:" and as there can be no Doubt those Presentments had abundant Effect, we feel ourselves fully Authorized to submit the Sentiments of subsequent Juries, composed of men, some of whose Characters and Respectability certainly shall not be diminished by Comparison, as strongly expressive of the most Earnest Wishes of our Citizens.

Amongst other reasons Sir, which should perhaps Operate to a retrospection of the "Act" for this County, is the inequality of the provisional Representation, produced either from Ignorance or unfair intention, which as it must continue until we have five Thousand free male Inhabitants, would

1000 Nov. 12

no Doubt become a area, and plenty source of Disquietude.

Adams County it is believed contain at least one third more Souls than Pickering, and twice as much wealth as the whole Territory besides; yet is entitled only to an equal number of Representatives with Pickering County— and Washington only one Member, when in the due ratio with Pickering County it is presumed, as no Census has been taken, they ought to have two.

In the first named Counties, populous as they have been Stated to Congress, the whole number of Electors did not exceed two hundred and thirty six— Men of Character, and property— professional, Commercial and others have been excluded from Voting by the deficiency of Landed Property which the present Provisional Law requires— English men Spaniards and Apostalized Americans, it is mortifying believed, are with a few Exceptions, the only Persons entitled to this Privilege.

I do not myself admit the full force of apostacy applying to all my Countrymen here— there may be causes to have Justified the Migration of some amongst them, but I am not Catholic enough, to view with entire Complacency, those who have Abandoned their America in Peace or War— Such men I scrutinously scan, as Time and Opportunity may permit; my Confidence towards them is of slow Growth, but in Some few instances it has been found due to Patriotism in Exile.

1000

In my Letter of the 21st of October No. 39 I was incorrect to observe to you that there seemed an unnecessary lack of abilities in the nomination for our Legislative Council.

The honorable house of Representatives in their Response to my address have very candidly vailed for abilities and determinment and in equal Candour it is believed, that the honourable Council should Vail to them.

No man in either of the two Branches of the Legislature contemplated ever ill. I presume make pretentions to reading in Jurisprudence, and it seems too generally Credited for Confidence in the house, or the Contentment of this People, that there had been an avowed intention to exclude from the Council "Book Learning with the Knowledge of Schools", and it will not be denied I presume, That the nomination which I have had the honour to transmit, goes great lengths to confirm such Opinion.

Mr. Ellis and Mr. Binghamman, who are upon the List, enjoy I believe a considerable Share of Public Esteem — they are men of Wealth, and to my View worthy Members of Society, but lacking the essential qualification of Legislators — their Studies and Pursuits, seem to have been turned to more peaceful, and more Advantageous Purposes, than Legislating in this Territory, — They will not however it is said consent to be in the Commission of the Council, for they understand that they were nominated to be managed, and are sufficiently Sensible of the Indignity.

Abstract from the Request Sir, that I should

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Nov. 12.

State "to Government the real situation
of this Country as affected by the ill tim
Change" it is certainly incumbent upon
me to notice Specially the Character and
Qualifications of such of their Servants, a
might collectively have it in their Power
to promote or injure the General Weal.

My Letters numbered 33 and 36 written
Defence of the Supposed Conduct of Judges an
Governors, and which I could wish to be read
in connexion with the late and Present Pe
sentiments — as far as they shall be accredite
will go to shew an apparant lack of Can
dour and Integrity in most since election
Members of the house of Represntatives —
and the Papers marked N.º 3 in the Sett
Numbered 30, which evidence so extraord
nary a Degree of Duplicity, in the Conduct
of a Mr. Hutchins upon the Interesting Sub
of Land Titles, and which were Submitted
with the Sheriffs return to the house — hav
established a very uniform and genera
Sentiment upon his Foreign Engagement
must destroy all Confidence, in those
who have confirmed his Election, for by
the same Parity of Proceeding it is
inferred, they might Constitute a Com
plete British or Spanish, instead of
an American Representation. —

Mr. Hutchins I am told, has been four
under the several Governments of this C
heretofore a very active Engine of Misch

1000 and is also represented to me from respectable Authority, as unceasingly essaying by insidious Arts to oppose the present Administration, and attach an Odium to the Character of the Public Servants in this Country— Military as well as Civil— This Conduct towards the Governour, and which in his Representative Character is of late sometimes shamefully demonstrated, is the Effect probably of having been deemed ineligible to Commission in the Spirit of our Constitution, and the Obvious propriety of Excluding all Foreign Influence— With such a Representation then Sir, which seems fully established in the Premises to be not only wanting in abilities &c., but very partial, the Prospect would be Gloomy and alarming, though our Wealth was even fully adequate to the Expence.— But tis not true that our Fortunes are prepared for the additional Assessment which to the Second Stage of Government will inevitably accrue— The Proportions of the 6040 Dollars, Though Prisons and Public buildings were Acknowledgedly necessary— and it was believed the Tax would not be rescinded, have produced much dissatisfaction and Murmuring— And are pronounced by Gentlemen of Information Candour and Veracity to be Extreme burthensome by a Comparison with practice, and Usages in this United States.— The Quota

Thro'

1000
Nov. 12.

thereof, and additional Charges in a
part of the new Government which
is to be borne by the Jew who have bee
so active for the change, will be in
some Measure illustrated by the enclos
Schedule* that may likewise serve
demonstrate, in a Degree, how very little
of the Wealth has been Operative in this
insidious, and I verily believe unpopula
Measures also

* see page 409 —

The pecuniary Effect which the Supp
mental Act for our Government must
no Doubt have upon the minds of the
Respectable Representatives of Property
from the Grand Juries who have come
forward with the late Presentments is
not, as I trust I have sufficiently ex-
plained, the only source of Disquietude
and Anxieties, though that in itself,
under the present Circumstances of
very many of the Inhabitants, would
be indeed distressing).

Upon this Subject as a Planter —
with a Considerable Proportion of those
Debts which I have before Stated to you
as hanging over the heads of this People
and implicated in an Equal part with
the aggregate number of Mr. Wests Constitu
ents from Adams County, I could Speak most
feelingly — but on the present Occasion, I
Consider myself merely as the Organ of
the Juries — My Statement is intended m

10000 Respect Conformity to the Spirit of this
Request, as it has appeared to my View
in the Copy of their Presentments, transmitted to me by the honourable Court,
and it will be Candidly Acknowledged
I trust by the Territory at large, and
can not be unknown to the General
Government, that I have liberally, and
and uniformly tendered myself, as in
Duty bound, to make known to that Go-
vernment all the Reasonable Wants and
Wishes of this People.

I have the honour to be,

Sir,

with most Respectful

Consideration

your Obedient

humble Servant

(Signed) Winthrop Sargent

The Honourable

Secretary of State

* Schedule alluded to in the foregoing.

The aggregate number of Mr. Lewis, Comparative View of Votes given by
the Members of the Grand Juries at the
October Term of the Supreme, and No-
vember Term of the inferior Courts Adam

County

410
1000

County and Represenring the Second Grade of Government as a Grievance with those of Mr. West's Committee, of the said County who had Petitioned for that Grade — being nearly half the number of the Committee.

The whole Estimate was: Dollars 604

The Members of the Grand attending the Supreme Court pay - - - - 60
Bills of the Superior Court - - - - 40

Members of Mr. West's Committe only 12

The above Statement has been taken from the Lists of the Assessors, and though not descending to details, is believed to be very Correct — My own Proportion of the 60 40 Dollars amounted to 119

(Signed) William Sargent

10100

Nov. 16— His Excellency the Governour was pleased to write the following Letter, and in pursuance of his direction, near one hundred Printed Copies of it, were addressed to Respectable Characters, and Slaveholders, within the Mississippi Territory.

Mississippi Territory

Grove Plantation Nov.r 16.th 1800

Sir,

I believe it a Duty to Communicate to the Officers of the Territory, and Slave holders within the same, that an intended Insurrection amongst the Negroes of Virginia (in which fifty thousand were to have rose in Arms) is said to have been lately discovered, and that Six of the Principal Blacks are already Executed at Richmond— but my Correspondent observes, that this alarming Business probably had its origin in Foreign influence, and was intended to extend throughout the United States— to reiterate the horrid Scenes of Rapine and Murders, which have been practised in the French Islands— though the Chief and Villanous Agents had not been detected at the Time of his writing.

It is almost unnecessary, Sir, after the Preface of this interesting Communication to recommend, to your Prudence and understanding the utmost Vigilance to your own and the Slaves of your neighbours— or to Suggest the impolicy of unnecessarily alarming them, by informations upon a Subject

1000 which mild and wise Treatment may
Nov. 16— happily long keep from their Views and
wishes.

Violent assaults upon the Overseers of Mr. Lintots and Mr. Moores Slaves, and the Succesful wounding one or both, I believe may be judiciously urged as the motive for extraordinary Circumspection in the present Moment, and to Completely enforce the Law against Slaves obtaining any kind of Weapons.

Upon this occasion it seems more than usually incumbent upon me to demand from the Officers Civil and Military — and all good Citizens, according to their respective Duties, to use their best endeavours to produce perfect Submission to the Statutes for the Regulation of Slaves within the Mississippi Territory.

They will please to remember that upon Saturday Evenings and Sundays when the Negroes of different Plantations assemble, devising means for excess in Strong drink, and frequently mixing with Such as have of late been introduced amongst us (some of whom, it is more than probable have been Actors in the Bloody Scenes that have already devastated whole Countries,) we should take extraordinary Care to provide against impending Mischief: — Their Quarters and places of Rendezvous should at Such times

10100 times be particularly attended to by
Nov. 10 — proper persons — and in the approaching
holydays, and whenever indeed it may be
deemed necessary, the Military Officers
will be pleased to use the Ample Provision
of Patrols and Guards which the General
Orders have Authorized to their discretion

Characters arriving within the Territory
whose pursuits are doubtful should be
immediately reported to the Governour — or
some of the Officers in Commission for
enquiry and investigation.

A Strict observance of such Rule might
be the happy preventative means of much
and fatal Evils.

(Signed) Winthrop Sargent
Governour
Mississippi Territory.

Bernard Lintot Esqr. William Dunbar
Esqr &c. &c —

Natchez November 10th 1800

Dear Sir

The Presentments of the Grand
Jury in which I have been solicited to make
Certain Statements for the View of Congress
might be very much facilitated by the friendly
aid of Mr. West, and which there can
be no doubt he must feel himself at

414

1000

Liberty and disposed to lend me—
of the Journal of the Committee of which
was the Chairman, and which from their
Sitting and method in general proceeding
has as yet been offered to the Public, pro-
bably contains the Entries of all the Letters o
Credence of the Members, and indeed very
important Paper and Transactions would
better enable me to gratify the Wishes of Gen-
tlemen of the Jury and which as it seems
to have been yielded by Mr. West is Expres
of Popular will, he will Certainly gratify
one in.

Please Signify my desire with all due
Respect, and make me Acquainted in the Re
sult.

With Estem I am,

Dear Sir,

yours. &c

(signed) Winthrop Sargent.

Mr Harding

Attorney U. States & Territory

1000

No. 41,

Mississippi Territory
November 20th 1000

Sir

I beg leave to Advertize Government through the Department of State, that this Country Continues without "Stamped Vellum Parchment and Paper" dispensing thereby in a Small Degree the Common Revenue, and to the hazard of unpleasant Consequences for the People, if I have read the Law in Point Correctly.

I have before Sir written upon this Subject to your Office —

I Embrace the Present Occasion to advertize you that Laws of the United States passed at the last Session of Congress have not been received, in the Territory —

And am Sir,

With respectful Consideration,

your Obedient

humble Servant,

(Signed) Winthrop Sargent.

Honorable

Secretary of State.

414

Nov. 20.

No. 42. Private,

Mississippi Territory
November 20th 1000

Colonel Clark Lit in the Finishing
his long Epistle intended for the Public no
doubt, through the Medium of Mr. Claibor
Represents the Governour of this Territory
as of "Austere appearance — not over Ampio
of Popularity, and wanting that kind of
Affability which is Necessary to draw the Pe
ple about his Person" — and that Such wou
the Colonels real Sentiments there can be
no Doubt in the minds of Gentlemen ac
quainted with his Character, for he was too
honest to express an Opinion foreign to hi
heart, and too ingenuous to veil himself
upon Such an Occasion.

In a more Private Letter to the Secre
tary of State (who should Certainly be
Correctly informed of Public Servants) it
can not be amiss, that I observe much
Industry has been used to impress the peo
of this Country with an Opinion of great
Austerity in the Governours Manners — De
cit of Urbanity, and Sovereign Contempt fo
the Inhabitants, — But that not one solitar
Proof can be brought forward to Establish
Such Hypothesis I pledge myself — nay mo
if necessary I would Undertake to prov
the Negative by most incontrovertible Testim

1000

I take leave to offer [illegible] on
Point of this Requisition — it
is drawn from me per force, and former
Strong Representations Considered, I trust
I shall need no other Apology.

It occurred Soon after my Arrival in the
Country as follows. —

a Poor man and apparently
under very great embarrassment, waited upon
me to Solicit Council in Some contested
Matter, and which being entirely out of my
Province, I frankly Observed So, and Recom
mended to apply to Some Gentleman of the
Law. — he plead utter Inconsiderecy to the
expense, and Received in Consequence my
best Advice in Language adapted to his
understanding), and with that "Suaviter
in Modo" generally denied me, and which
was to him as unexpected, as it was grateful
Lying.

He told me that he had never
approached any man under So Strong Im
pression of Awe — he had made his Appli
cation to a Character, a pretended Law
Counsellor, whose pecuniary Conditions
for Advice would have robbed him of
half his little all — that he had proposed
to Share liberally with him but in Vain
and as the "dernier Resort" Signified to
him he would Solicit the Governour, when

the

1000 The Miscreant declared to him, "th
vain — he knew the Governour well — th
he had never Spoke to a Poor man in h
life, and that his application would be
attended by broken bones certain, perhaps
Death itself."

A few such men with artful and
insidious Management, might impress
the Strongest minds.

I candidly Adomit that I am not
Over Anxious of Popularity" according
to my Acceptation of the Expression —
no man however more Ardently desires th
Approbation of the Wise and the Good
than myself, but I shall never be so fa
degraded, as to become the Machine of
the Multitude.

I am Sir,

with most Respectful
Consideration

your Obedient
Humble Servant

(Signed) Winthrop Sargent

The Honourable
Secretary of State —

Adams County

November 20th 1806

Sir,

The Wish of this People that I should State to the proper Department the real Situation of our Country, as affected by the change of the Mississippi Territorial Government, brought about by the Committee of which you was the Chairman, and that I should transmit the Papers and Documents in Point, will I trust sufficiently apologize for my again directly and more formally soliciting that you would favour me with a View of the Journal of the Committee Letters of Credence for the Members, and any other Papers which may tend to illustrate the rise and Progress of Proceedings in that Body indeed a View of all the Papers of the Committee which may have been deposited with you as their Chairman is desirable not from more Motives of Curiosity, but to enable me to Comply with the wishes of the People as Expressed in the Presentments of a Grand Jury of Adams County made at the November Term of the Superior Court

To send a Clerk to Copy those Papers is out of my Power, but I promise to return

Them

420

1000

them unto you in the Same order I
Receive them, if you will be pleased to
them into the hands of Mr Sheriff Fergu
whom I request to take them in Charge
Sealed up if you may so deem proper

I have the honour to be

Sir,

with all due Consideration

your Obedient

humble Servant,

(Signed) Winthrop Sargent

Mr Cato West.

General Militia Orders for Adams
County. Mississippi Territory December
1st 1800.

Major Osmun is Promoted to the
Rank of Lieutenant Colonel and to
Command the Militia of Adams County

From the Zeal and Military Ex
ence of this old Soldier the due ex
of Subordinate Officers, and Proper Spi
of the Men, The Governour Flatters him
that the Legion of the County will no

1000 only assume an Exact Military Appearance but become fully Competent to all Possible internal Demands, and highly Respectable as Citizen Soldiers—

Ebenezer Rees and Anthony Haggat Esquires are appointed Captains—William Noble Galbreath, James Griffin, and Thomas Dawson Gentlemen Lieutenants—Mortord Calvert, Anthony Calvert and Peter Vandoorcen Gentlemen Ensigns,—They are to be Obeyed and Respected Accordingly.

Lieutenant Col. Osman will be pleased to arrange them to Companies as may best accord with the Genral Standing Orders for promoting the Mutual Convenience of Privates as well as Officers—

The Governour Cannot Pass the present Occasion without expressing his Solicitude for one of those Field Days which the County Commandants are Authorized to name, and which have not yet, he believes been Advertized for Adams County

(Signed) Winthrop. Sargent

422

1000

Dec. 1st

December 1st 1000

Sir,,

Colo Steele will transmit you the Commission of Lieutenant Colo Militia of Adams County, and I persuade myself from your zeal of the happiest Effects, their Complete Organization.

Patrols which were long since Authorized and now especially necessary, should in my opinion be Continued to the end of the holy days— The Planters whose fears are up, and who are duly impressed with the necessity of the Measure, have Amply by Expressed themselves to me thereupon and which will very much facilitate this indispensible Proceeding.

I have the honour to be

Sir

Your Obedient

humble Servant

(Signed) Winthrop Sargent

Lieutenant Colo. Osmun

His Excellency the Governour was pleased to Promote Major Bonajah Bowen to the Rank of Lieutenant Colonel of the Militia of Adams County to whom he Granted a Commission in the usual Form, dated the First day of December 1800.

issued the 15th

He was also pleased to appoint Ebenezer Rees and Anthony Hockett Esquires Captains — William Noble Galbreath, James Griffin, and Thomas Dawson Gentlemen Lieutenants — Montford Calvert, Anthony Calvert, and Peter Vandoreen Gentlemen Ensigns in the Militia of the County of Adams, to each of whom he Granted a Commission in the Usual Form, bearing date the first day of December 1800.

issued the 16th.

He was also pleased to approve the appointment of Alexander Montgomery, Samuel Marshall, James Scully, Robert Miller, William Brocus James Hyland, and James Ferguson Inspectors of Cotton Gins &c. for the County of Pickering, to whom he Granted Commissions bearing date the first of December 1800.

He was also pleased to appoint Richard Lee Esquire Prothonotary to the Court of Common Pleas, Clerk to the Court of General Quarter Sessions, and Recorder for the County of Washington and Granted him Commissions Accordingly bearing date the 1st December 1800.

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1000 He was also pleased to approve the appointment of Samuel Mimms and William Coleman Inspectors of Cotton Gins &c and granted to them Commissions accordingly bearing date the first day of December 1000

Grove Plantation
December 1st 1000

Sir

The absolute necessity of furnishing Provisions (Beef and Bread) to the Indians visiting Natchez induced an Order from General Wilkinson previous to his Departure, that the Contractor should be provided there and attend to my Requisition

Some Causes of late have prevented the good Effect of such Arrangement, and the Indians as well as the Planters, are Murmuring in Consequence— The former because they are not served as usual, and the latter because they are Plundered beyond the common Usage;— which we all know is bad enough at best—

If you will remedy this Evil, it will be a general, as well as a particular favour to your Friend

and very humble Servant

(Signed) Winthrop Sargent

Major Genl.

Commanding the Troops U.S. M. Terri

Natchez Mississippi Territory
December 20th 1800

Sir,

A very considerable Proportion of the Respectable Inhabitants of this Territory and Representing most of the Wealth or Property thereof, have Requested that I should offer to the Consideration of the honourable Congress the enclosed Petition.

The Communications which I have already made to the Department of State bearing date the 15th of June — 25th of August, and a Recent Statement to the Secretary upon Request from two Grand Juries will I trust sufficiently Explain to Government, the Variety of Solicitation from the Mississippi Territory, and Preserve our general Character from the Suspicion of Versatility.

I Respectfully Ask from you Sir, for and in behalf of this People that you would obligingly Offer their Present Petition to the View of the honourable House of Representatives: — the graciously granting the Prayer thereof would I verily believe, more than any other Measure Contribute to Produce Contentment, and that Rejecting it might constrain almost all the Industrious Citizens who can with any Degree of Convenience Change Countries to Remove below the Line, for with our present Population and Incompetency it is believed

426

1000

the Expenses of the Second Grade of Government must be insupportable — In this Faith Sir, it becomes my Duty earnestly to add my Solicitations in behalf of the Petition of this People —

I have the honour to be Sir,

most respectfully,

your Obedient,

humble Servant,

(Signed) Winthrop Sargent.

The honorable Speaker of the house of Representatives — U. States —

Mississippi Territory

Natchez Decr. 20th 1800

Respected Sir,

The enclosed Petition signed I believe by the Principle part of the most respectable Inhabitants of the Mississippi Territory, on any of whom have Solicited that I should introduce it to the Vice of the Senate through the Medium of their President, I trust Sir, may sufficiently apologize for my presuming to ask that you would take the trouble of presenting it as early as possible to that honourable Body — Other Copies (and with additional Signers) in distant parts of

the Territory, soon Expected to be Received, will be transmitted by the Mail.

The Extraordinary Variance between this and the Petition which was presented from the Territory by a Mr. Hunter in the last Session of Congress, is measurably illustrated by the present Petitioners; And the Communications which I have had the honour to make, at the Instance of two Respectable Grand Juries to the Department of State, with my Letters to the Secretary, of June 15th and August the 25th must Abundantly evidence, that the former Petition praying for a Change in Government had been Surreptitiously obtained.

Bound in honour and in Conscience to Promote the Interests and Welfare of this People to the extent of my Capacities, I conceive it an Indispensible Duty to observe that the Operation of the "Supplemental Act for the Mississippi Territory" under the present Circumstances of the Country, would probably be attended with Depopulating and other injurious Consequences.

I have the honour to be

Respected Sir,

with Sentiments of highest Consideration

your most Obedient

humble Servant

(Signed) Winthrop Sargent

The honourable

President of the Senate

of the

United States

420

1000

Dec. 20

No. 43

Mississippi Territory

Sir

December 20th 1800

For the more safe passage of a Petition from the People of this Country to Congress and Letters to Several of the honourable Members, I take leave to enclose them to your Address — I do myself the honour also to transmit to you a Copy of the Petition — It seems incumbent upon me by this Conveyance to Report to you Sir, that I have not received even a Single Copy of the Laws of the United States Passed in the last Session of Congress — As also that we Continue without Stamped Vellum or Paper, upon which Subject I have heretofore addressed the Department of State.

I have the honour to be

Sir

Most Respectfully

your most Obedient

humble Servant

(Signed) Winthrop Sargent

The honourable

Secretary of State

1000

Mississippi Territory

Sir December 26th 1000

I had the honour of receiving from you Yesterday, a letter dated 5 Sept ult: advising me of having Ordered thirty seven Copies of the Laws Passed in the last Session of Congress to this Territory — They have not yet been received — This is the only Letter with which I have been favoured from the Department of State since the 12th of May last

I am Sir,
most Respectfully,
your Obedient,
humble Servant
(Signed) Winthrop Sargent

The Honourable
Secretary of State.

A Transcript of this Journal from page 319 was made for Transmission to the Secretary of State, and Authenticated in the words following Viz "The foregoing one hundred and thirteen pages is a Transcript of the Journal of the proceedings of the Governor in his Executive Department of the Government of the Mississippi Territory, during the Second Session of the Second Assembly of the Year Eighteen hundred" — "In Testimony whereof I have unto Signeded my Name and affixed my Private Seal, as" Secretary in and for "the Territory aforesaid, this third day "of January One Thousand Eight hundred "and One. John Steele. SS

into the hands of the M. F. Jones to go by express the 6th Jan. 1801 — Copy of the same also —

430

1001

Jan 5. 4

Missis/pi Territory

My Dear Sir, January 4th 1001

I await myself of the Opportunity of an Army Express, to transmit Petitions from Some of the Inhabitants of this Territory of Similar Tenor to those which I had the Honour to send forward by last Mail— Signed by most of our respectable Inhabitants, and more than three hundred in number if my Memory is Correct.

I am informed that other Copies are in Circulation and which probably it will become my Duty to trouble you or Some other Gentleman of Congress with by the next Post.

I submit to your better Judgment to determine whether it will be most proper to bring those Petitions to the View of the Senate through the same Channel as the last (the President) or to oblige the Petitioners by presenting them yourself

The Petition for the House of Representatives, I solicit you would be pleased to Ask of the Speaker to offer

1801

with Sentiments of most Respectfull Esteem,

I have the honour to be,
My Dear Sir,

Your Obedient;
humble Servant,

Signed Winthrop Sargent.

The Honorable James Ross
of the Senate of the U.S.

To the Commandants, Field Officers, Captains and Subalterns of Militia, Mississippi Territory, January 12th 1801. Natchez.

The Governors Strong Anxieties for the Safety of the good People of the Territory, impel him again to urge the well ordering and Arming of the Militia.

To the Discretion and firmness of the Officers, he may adventure to express himself in Confidence, and without apprehension of Creating unnecessary alarm.

Of the Continuance of Indian Friendship we cannot be assured, and the Crisis of Hostility would be found fatally tardy for the essential preparation of Defence

Almost every day adds to the number of our Slaves, and Reasoning from the fine Feelings of Man to the number of our most inveterate Enemies also.

'Tis more than probable, that in the Lapse of another year, there will be more Blacks than Whites within the Mississippi Territory — That we deprive them of the Sacred Boon of Liberty is a Crime they can never Forgive — Mild and humane Treatment may for a Time Continue them quiet, but can never fully Reconcile them to their Situation — and Calculating from the Experience of some amongst us, in a War with any European, or even Indian Power, they might be irresistably Stimulated to Vengence.

From those important & serious Considerations, the Governour is induced to recommend to the Officers, of most energetic Measures — that Company Districts be fully ascertained without a Moments delay and every Man Enrolled in the Militia according to Law. — That all deficiencies in Arms and Accoutrements be immediately Supplied; — to enforce which the Penalties Should be inflicted, provided in every case of Delinquency, for no man of Reason will deny that the Consequence of Continuing

mistaken Clemency only unbar Indulgence may be most fatal to our selves, our Wives and our Children.

Military Officers must Consider it a Point of honour, to Carry into full effect the Laws for the Regulation of Slaves— Legionary Commandants have been Instructed to order out Patroles whenever they shall deem it necessary, and it seems advisable that such Should Occasionally be used altho' no Suspicions might Occur— not unnecessarily to harrass the men, but more Strongly to impress the Negroes that we are never off our Guard.

Noncommissioned Officers or others having the order of Patrols, Should be Specially instructed as Circumstances may Require— and Cautiously to avoid all Violence other than may be absolutely necessary for the apprehending and safe keeping of Delinquents, and Security of the Peace.

Some Complaints have been made to the Governour of cruel and Barbarious usage Practiced towards Slaves, under a pretended Authority, and which he highly disapproves:

434

1001

Jany. 12–

The Military Authority only can Constitute the Legal Patrols, and the evil Consequences of Suffering this Power to be usurped are so obvious that Officers will Consider it their Special Duty to guard against it and Report Offenders.

Company and Legionary alarm Posts Should be assigned to which the Men are to be directed to Repair, in Case of Domestic disturbance and Receive their Instructions from the Senior Officer present according to the Rules of War — And Communications must be made as early as Possible, to the Inspector Legion Commandants, and the Commander in Chief.

The firing of three Guns with an interval of half a Minute between each Discharge is to be Considered as the Legionary Alarm by night or by Day.

A Complete Return of the Legions, Arms &c, Distinguishing between Rifles & Smooth Bores is again required.

(Signed)

Winthrop Sargent

His Excellency the Governor was pleased to write the following Letter to Col. Girault, and to inclose to him the foregoing General Order

Grove Plantation
January 12th 1804

Dear Sir,

Please to Communicate the Enclosed in the most impressive possible manner to the Officers under your Command — I Expressed to you my Sorrow that I could not See the Militia of Bayou Pierre — Public avocations in this part of the Territory prevented

It might not be amiss to Suggest to Major Dixon as a Magistrate, and to the Sheriff also my Opinion of the Propriety of fitting up one of the Houses at the Villa Gayoso as a Prison — I have been from the Powerfull motives of Economy, advised such Measure, and the Extraordinary Dissonance as to the Proper Site for Public Buildings Since I have advocated for Information of the General Wish more and more Confirms me in the Propriety of Continu

1001.
Janʸ. 12

ing the Courts at the Present Seat of Justice
I should have made no Objection to
Erecting Public Buildings at Union Town
upon the Proffer of Gentlemen to take all
the expence upon the County, because it
would have Comported with my wish to
Economise those Resources of which I have
been so Malitiously accused of being too
Prodigal, and because the Speculation of
the Adjacent Grounds might have equally
insured the Safe Keeping of Prisoners, as well as
Genral Convenience — a Change however
I am Persuaded (no matter what Position
Should be taken) would but add to the
imaginary Sources of Discontent, and the
Requisite assessment to build a Court-house
and Jail in a Present Central Situation
might render even the Placid Spirits of your
County restless, and Turbulent.

With Esteem I am Dear Sir,

Your very humble Servant

(Signed) Wm Thos Sargent

Lieut. Colo. John Gronett —

Pickering County

1001

No. 44.

Mississippi Territory
January 26th. 1802

Sir,

I take leave most respectfully to repeat Solicitations for the Opinion of the Attorney General upon the Statement made by this Territorial Attorney of a Claim exhibited against the Villa Gayoso which was surrendered to the United States by the Spanish Government, and which Business will be at issue in our Supreme Court of April next — Delay may operate injuriously to the interests of the United States — Duplicates of all the Papers in Point have been transmitted to the Department of State.

I have the honour to be,

Sir,

your Obedient,

humble Servant,

(Signed) Winthrop Sargent

The Honourable

Secretary of State

1802
Janj. 30.

His Excellency the Governour was pleased to Revoke and annul the Commissions of Justice of Peace and Lieutenant of Militia in the County of Adams, heretofore Granted to Hugh Davis Esquire, by an Instrument under his hand and the Seal of the Territory, in the Words following Viz.

By Winthrop Sargent

Governor and Commander in Chief of the Militia of the Mississippi Territory.

To the Justices of the honourable Court of General Quarter Sessions of the Peace Adams County the Commandant of the Militia and all others whom it may concern.

Be it known, that I have thought proper by these presents to Revoke the Commissions of a Justice of the Peace and Lieutenant of Militia heretofore granted unto Mr. Hugh Davis it having sufficiently appeared unto me, that a Presentment of the Grand Jurust at the last October Term of the Superiour Court

1802 in Adams County, is so well grounded, as to implicate him in the Violation of sundry Solemn Official Duties, and render his Continuance in Office, Civil or Military, incompatible with the Dignity of Government, and the due Execution of the Statutes of this Territory.

Given under my hand and the Public Seal January the thirtieth Anno Domini One Thousand eight Hundred and One —

L S

(Signed) Winthrop Sargent

No. 45.

Sir

Mississippi Territory
March 16th 1802

I have this Day taken leave to draw upon you in favour of Major Minor for the Services of an Indian Interpreter to the amount of two hundred Sixty two Dollars and ½ the Account is herein enclosed and in my opinion justly due — the Conduct of his Attorney in making an Obnoxious and Charge and Commencing an Action against one

1001.
March 16

one to recover the same (which the Major Caused to be dismissed) has delayed an Adjustment of this Business upon which I had the honour to address the Department of War the 4th of May in the last year.

By the same Conveyance I solicited instruction upon the Subject of Continuing in pay an Interpreter, and which I have not yet had the Satisfaction to receive.

I have the honour to be,

Sir,

Respectfully,

your Obedient humble Servant

(Signed) Winthrop Sargent

The Honorable,

Secretary of State.

No. 46

Mississippi Territory

March 21st. 1001

Sir,

For the amount of the enclosed account I have taken leave to draw a Bill in favour of Mr. Green of this date which I request

1001 Request may be honoured,

I am

Sir

very respectfully

your Obedient humble Servant

(Signed) Winthrop Sargent

The Honorable Secretary of State

His Excellency the Governor was pleased to Promote Captain David Ferguson to the Rank of Major — Lieutenants William M.c Intosh and John Minor, to the Rank of Captain — Cornets John Sintot and John Bingham to the Rank of Lieutenant, and to appoint Robert Moore, and Joseph W.m Lloyd Gentleman Cornets in the Militia of the County of Adams, to each of whom according to their Several Grades he granted Commissions in the usual form dated the 20th. of March 1801.

He was also pleased to appoint Samuel Brooks Esquire a Justice of the Peace and

Judge

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1801 Judge of the Court of Probate (vice William
Dunbar Esquire resigned) for the County of
March 20 Adams, and granted to him Commissions
accordingly, dated the 20th of March 1801.

He was also pleased to appoint John
Brooks Esquire Sheriff for the County of Pe-
kering (vice William Ferguson deceased to
whom he granted a Commission dated the
20th of March 1801.

He was pleased also to issue a Commissi-
on to Peter Walker Esquire (heretofore appoin-
Clerk of the Legislature) dated the 4th of Octobe
1799 — and also to appoint and Commissi-
him Keeper of the Seal — dated the 20th of March
1801

30

Mississippi Territory
Evening of March 30th 1810

Sir

At this Moment received your favour
of the 21st instant, and in the next shall
be upon my departure for the United States
Poor Franchemasalcubbee, Sincerely do Regret
the Death of this so. Universal Friend of the
White People,

Your Motives for Charity to Chinnumbe
the King of the Chickasaws are in my
Opinion truly Laudible, and so far as my
Name and Approbation may be useful
to extend to him the Bounty of the United
States you are at Liberty to use them.

You may freely Command my Services
Ability for Services in the Atlantic States

Adieu

(Signed) Winthrop Sargent

Colo. McHee,

The Grove Plantation
April 1802

Dear Sir,

The Present Situation of my Health
and some other important Considerations induce
me to avail myself of a Permission of absence
long since had from the President of the
United States; The Duties in the Executive
Department of Government will of Course
devolve upon You, and I hope and believe,
that sober Sense shall Continue gaining ground
of the Shows and Vices which have been so
Mischievously Planted in the Path of the
Governour.

1041
&c.

I embrace in Duty and in Pleasure the present occasion of Expressing my entire Satisfaction in the Discharge of your Official Trusts — to a due tribute to your Zeal and Promptitude in Service and to promote the Public Weal, I should add much more, but that Eulogium under the Present Circumstances of Calumny and Reproach might operate in an inverse Ratio to my Estimation of your Worth and of your Talents.

With very Sincere Esteem,
I am your Friend and
humble Servant

(Signed) Winthrop Sargent

Colonel — Steele,

Samuel Hancock Esquire was on the Second of April appointed a Justice of the Peace and Coms. of Militia in the County of Adams, and the Governor Granted to him Commissions accordingly dated the thirty first of March 1802.

1002

Mississippi Territory

April 3d. 1802

Sir

The Honourable Colonel Pickering when Secretary of State was kind enough to obtain the Presidents Permission that I might be a short time absent from this Government when the same should have been Organized and Peace established for the United States.

The late Ratification of the Treaty with France, authorizes me to avail myself of this Indulgence, and which the Present State of my Health, impaired by long Service in all the Extremes and Vicissitudes of United States Climate, pressingly demands I should embrace without delay.

Since the Commencement of the Revolutionary War, I have been almost always upon Public Duty — and from the early part of ninety six, attentions Uncalled have been unremitted — those Considerations I trust may Justify me in Embracing the leave of absence had from President Adams.

I propose to embark for the Atlantic States

1002 States in the present month and shall take the very earliest opportunity to pay my Respects to you Sir— And if I may be so permitted to the President of the United States also.

The mighty Obloquy cast upon my Reputation I hope may not deprive me of this honour— I yet know not the Result of Mr. Davis's Motions upon my Official Conduct— they have no doubt made unfavourable impressions.

That Member of the Honorable House of Representatives and his Colleague Mr. Claiborne I could indeed wish to believe have been influenced by no improper— No. improper motives, but if they have not been very grossly deceived they have most Certainly been so imposed upon.

I take leave Sir, to inclose to the Department of State some very strong Testimony in Point— Attestations from the most Respectable people of the Territory, and which I solicit you would do me the favour to lay before the Supreme

Executive in Reparation of my wounded
Character,

With great respect I have the
honour to be,

Sir,

Your Obedient

humble servant

(Signed) Winthrop Sargent

Honourable

Secretary of State, ——